

**A CRITICAL ANALYSIS OF THE CRIME PREVENTION ROLE OF THE  
MILITARY POLICE DIVISION IN THE SOUTH AFRICAN NATIONAL  
DEFENCE FORCE (SANDF)**

by

**ESEWU MXOLISI MATHEBULA**

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PROMOTER: PROF H.F. SNYMAN

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## **DEDICATION**

I dedicate this thesis to my parents, Paulus and Thandi Mathebula, who are such an inspiration to me.

## DECLARATION

Name: **Esewu Mxolisi Mathebula**  
Student number: **38985462**  
Degree: **Doctor of Literature and Philosophy in Police Science**

**A critical analysis of the crime prevention role of the Military Police Division in the  
South African National Defence Force (SANDF)**

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I declare that the above thesis is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

Signed \_\_\_\_\_  
**SIGNATURE**

08 August 2018  
**DATE**

## **EDITOR'S DECLARATION**

### **DECLARATION**

I, Maria Petronella Roodt, hereby declare that I have proofread and edited the thesis titled **A CRITICAL ANALYSIS OF THE CRIME PREVENTION ROLE OF THE MILITARY POLICE DIVISION IN THE SOUTH AFRICAN NATIONAL DEFENCE FORCE (SANDF)**

by **ESEWU MXOLISI MATHEBULA.**

My qualifications are as follows: BA with major in English, BA Hons (English) and MA in English (Applied Linguistics) and an MA (Higher Education Studies) I have extensive experience in proofreading and editing and can be contacted at the following address: [mroodt@cut.ac.za](mailto:mroodt@cut.ac.za). My telephone numbers are 051 507 3866/ 0822025167.



**MP Roodt**

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## SUMMARY

The purpose of this research study was to offer a critical analysis of the crime prevention role of the MPD in the SANDF. A recent development in SA where military personnel are deployed to quell acts of violence and xenophobic attacks, makes this requisite and pertinent research.

A qualitative research method was adopted, which goes well with the pragmatist worldview. A pragmatist worldview affords researchers the flexibility to choose the type of technique, method and procedures to be utilised in the research study. A literature review was conducted, followed by interviews with members of the MPD. The researcher interviewed a total of 23 members from the MPD. These members were chosen based on their experience and knowledge as military police officials. The data received from participants was analysed using a computer software programme called *Atlas.ti*.

The findings of this research study revealed that crime prevention in SA is the responsibility of the SAPS, not the SANDF. The defence force can be deployed as a last resort in extreme cases when the SAPS are not able to contain the situation. Members of the defence force are not trained to deal with matters of maintenance of law and order. However, the defence force has its own crime fighting component in the form of the MPD, which can perform policing functions anywhere and at any time as long as it is aimed at enforcing the Defence Act (Act 42 of 2002).

The conclusion reached by this research study is that MPD members must be capacitated in terms of both human resources and training so that they are able to deal effectively with crime within the SANDF. In an effort to address crime within the SANDF, the study proposes a model that supports the interaction between various role players in crime prevention.

**Key concepts:** corruption, crime, crime prevention, Constitution, DOD Anti-Criminality, fraud, Military Police, Police, Police Intelligence, South African Police Service

## Isifingqo

Injongo yalolu cwaningo ukuhlolisisa nokuhlaziya igunya namandla okuvikela ubugebengu embuthweni wezokuvikela wase Ningizimu Afrika. Lolw cwaningo lusungulwe ngokubonakala kwentuthuko yakamuva ezenzweni zobugebengu eNingizimu Afrika lapho amalunga amasosha ethu agcina esefakwe emsebenzini wokuqeda udlame kanye nokuvikela kokuhlaselwa kwabokufika.

I *qualitative method* indlela ucwaningo oluqhutshwa ngayo emhlabeni wonke olubheka ingqikithi nomsusa wesenzo lesi esisuke senzekile futhi kutholakele ukuthi loluhlobo lokucwaninga lusebenza kahle kakhulu. Ukwenza ucwaningo ngokuzikhandla kanye nokukhululeka kwenza abacwaningi basebenzise ubuhlakani babo kanye nezindlela ezingcono zokucwaninga, futhi zenza ukufunda ngocwaningo kuhambe kahle. Umcwaningi wabuyekeza izincwadi ezazisetshenzisiwe ngaphambilini waphinde wakhulumisana namalunga angamashumi amabili nantathu amaphoyisa wezokuvikela kwezwe phecelezi *Military Police Division*. Lamalunga akhethwa ngokuba ngomakade ebona futhi nangokuba mkantshubomvu kulomsebenzi wobuphoyisa embuthweni wezempi. Ubuciko bukancondomshini obuthiwa yi-*Atlas.ti* buye basetshenziswa ukuhlunga kabanzi yonke imininingwane eye yatholakala kulamalunga.

Okutholakele kulolu cwaningo kukhombisa ukuthi umsebenzi wokuvimbela ubulelesi ukuthi kungenzeki kungumsebenzi wamaphoyisa aseNingizimu Afrika (SAPS) kuphela, akuwona umsebenzi wombutho wezokuvikela. Umbutho wezokuvikela ungatshalwa kuphela njengendlela yokugcina ezimweni ezibucayi lapho khona amaphoyisa aseNingizimu Afrika engakwazi ukulungisa noma ukumelana nesimo. Ngaphezu kwalokho, amalungu ombutho wezokuvikela aweqeqeshelwe ukulwa nobugebengu. Umbutho wezokuvikela unebutho eliqeqeshelwe ukulwa ubugebengu kanye nokwephulwa komthetho lelo butho amaphoyisa wombutho wezokuvikela phecelezi *Military Police Division*.



Isiphetho salolu cwaningo ukuthi amaphoyisa ombutho wezokuvikela kufanele anikezwe zonke izinsiza ezifanele aphinde aceceshwe kanzulu ukuze akwazi ukumelana kanye nokuceda ubugebengu embuthweni wezokuvikela. Ukuze kubhekwe ubugebengu ngaphakathi kwi SANDF, umfuziselo olwatuswa olusekela ukusebenzisana phakathi kwabo bonke ababambe iqhaza ezinhlakeni ezahlukene ekuvimbeleni ubugebengu.

**Izinhlaka ezimiswe:** inkohlakalo, ubulelesi, ukuvikela ubugebengu, umgaqosiseko, DOD Abangavumelani nobugebengu, ukukhwabanisa, amaphoyisa wombutho wezokuvikela, amaphoyisa, amaphoyisa wezobuntlola, amaphoyisa aseningizimu afrika.

## ISISHWANKATHELO

Injongo yolu phando kukunikezela ngohlalutyo oluntsonkothileyo ngendima yeMPD kwi SANDF, yokuthintela ulwaphulo-mthetho. Iziganeko zakutsha nje eMzantsi Afrika, apho kuye kwafuneka ukuba abasebenzi bomkhosi wokhuselo bathunyelwe ukuya kungqanda izenzo zobundlobongela nokuhlaselwa kwabemi bangaphandle, zenza ukuba olu ibe luphando olunyanzelekileyo nolubalulekileyo.

Indlela yophando ngokwexabiso isetyenzisiwe, iyeyona ihambelana kakuhle nendlela ebona ngeliso elibanzi kwilizwe jikelele. Indlela ebona ngeliso elibanzi kwilizwe jikelele yeyona inika abaphandi inkululeko yokukhetha ubuchule, umgaqo kunye nenkqubo enokusetyenziswa kuphando olo. Uhlalutyo lwemibhalo luye lwenziwa, kwalandela udliwano ndlebe namalungu eMPD. Umphandi wenze udliwano-ndlebe namalungu eMPD angama-23 ewonke. La malungu akhethwe ngenxa yamava kunye nolwazi analo njengabasebenzi bomkhosi wezokhuselo. Iinkcukacha ezifumaneka kwabo bathathe inxaxheba ziye zahlalutywa kusetyenziswa ubuchwepheshe bekhompyutha obubizwa ngokuba yi-Atlas.ti.

Ulwazi olufumaneka kolu phando lubonise ukuba ukunqandwa kolwaphulo mthetho eMzantsi Afrika luxanduva lweSAPS, hayi olweSANDF. Igqiza lomkhosi wokhuselo linakho ukuthunyelwa ngondancama xa kukho iimeko eziqatseleyo, xa i-SAPS isoyiswa kukumelana nesimo. Amalungu womkhosi wokhuselo awakuqeqeshelwanga ukujongana neemeko zokugcinwa komthetho. Nangona kunjalo, amalungu womkhosi wokhuselo analo icandelo lokulwa ulwaphulo-mthetho eliyi-MPD, elelona candelo elikwaziyo ukwenza umsebenzi wesipolisa naphina kwaye nanini na ekubeni nje inyanzelisa umthetho obizwangokuba yi-Defence Act (Umthetho wama- 42 wonyaka wama-2002).

Xa beluqukumbela olu phando bafumanise ukuba amalungu weMPD kufuneka axhotyiswe ngokunikwa abasebenzi abafanelekileyo nangokuqeqeshwa

ukwenzela ukuba bakwazi ukugagana ngokufanekelikelyo nolwaphulo mthetho ngaphakathi kwiSANDF. Kwiinzame zokujongana nolwaphulo mthetho kwiSANDF, olu phando luphakamisa ukuba kubekho indlela yokusebenza exhasa unxibelelwano phakathi kwabathathi nxaxheba abahlukeneyo ekuthinteleni ulwaphulo mthetho.

**Izihloko ezikhokhelayo:** Ubuqhophololo, ulwaphulo mthetho, ukunqanda ulwaphulo mthetho, umgaqo siseko, ukulwa nolwaphulo mthetho kumkhosi wokhuselo, urhwaphilizo, amapolisa omkhosi wokhuselo, amapolisa, linkcubabuchopho zamapolisa, amapolisa Asemzansi Afrika.

## LIST OF ACRONYMS

<b>APLA</b>	-	Azanian Peoples' Liberation Army
<b>ASB</b>	-	Army Support Base
<b>AU</b>	-	African Union
<b>BDF</b>	-	Botswana Defence Force
<b>BMA</b>	-	Border Management Agency
<b>BPF</b>	-	Botswana Police Force
<b>BRICS</b>	-	Brazil, Russia, India, China and South Africa
<b>CAS</b>	-	Case Administration System
<b>CCTV</b>	-	Closed-circuit Television
<b>CI</b>	-	Counter Intelligence
<b>CID</b>	-	Criminal Investigation Department
<b>CJS</b>	-	Criminal Justice System
<b>CMC</b>	-	Central Military Council
<b>CMJ</b>	-	Court of Military Judge
<b>CMPR</b>	-	Central Military Police Region
<b>COPE</b>	-	Congress of the People
<b>CPTED</b>	-	Crime prevention through environmental design
<b>CP</b>	-	Civilian Police
<b>CPC</b>	-	Criminal Procedure Code
<b>CPF</b>	-	Community Policing Forum
<b>CPP</b>	-	China People's Police
<b>CPSC</b>	-	Central Procurement Service Centre
<b>CSC</b>	-	Client Service Centre
<b>CSIR</b>	-	Council for Scientific and Industrial Research
<b>CSMJ</b>	-	Court of Senior Military Judge
<b>DA</b>	-	Democratic Alliance
<b>DACAF</b>	-	Director Anti-Corruption and Anti-Fraud
<b>DI</b>	-	Defence Intelligence
<b>DLSD</b>	-	Defence Legal Service Division
<b>DOD</b>	-	Department of Defence
<b>DOD IG</b>	-	Department of Defence Inspector-General

<b>DPMG</b>	-	Deputy Provost Marshal General
<b>DRC</b>	-	Democratic Republic of the Congo
<b>FARDC</b>	-	Armed Forces of the Democratic Republic of the Congo
<b>FCJ</b>	-	Federal Criminal Justice
<b>FIFA</b>	-	Federation of International Football Association
<b>FP</b>	-	Federal Police
<b>F/Sgt</b>	-	Flight Sergeant
<b>FY</b>	-	Financial Year
<b>GDP</b>	-	Gross Domestic Product
<b>GMPD</b>	-	General Military Police Duties
<b>GOC</b>	-	General Officer Commanding
<b>GSB</b>	-	General Support Base
<b>HOS</b>	-	Head of State
<b>IACP</b>	-	International Association of Chiefs of Police
<b>ICDMS</b>	-	Integrated Case Docket Management System
<b>ID</b>	-	Identity Document
<b>IG</b>	-	Inspector-General
<b>IFP</b>	-	Inkatha Freedom Party
<b>INDFSC</b>	-	Interim National Defence Force Service Commission
<b>IPID</b>	-	Independent Police Investigative Department
<b>ISCPS</b>	-	Integrated Social Crime Prevention Strategy
<b>ISP</b>	-	Indian State Police
<b>ISS</b>	-	Institute for Security Studies
<b>JCPS</b>	-	Justice, Crime Prevention and Security
<b>KDF</b>	-	Kenya Defence Force
<b>KNPS</b>	-	Kenya National Police Service
<b>KZSPF</b>	-	KwaZulu Self Protection Forces
<b>LDF</b>	-	Lesotho Defence Force
<b>LMPS</b>	-	Lesotho Mounted Police Service
<b>MCF</b>	-	Military Correctional Facility
<b>MDC</b>	-	Military Disciplinary Code
<b>MDF</b>	-	Malawi Defence Force
<b>MEC</b>	-	Member of the Executive Committee

<b>MK</b>	-	uMkhonto Wesizwe
<b>MOU</b>	-	Memorandum of Understanding
<b>MP</b>	-	Military Police
<b>MPA</b>	-	Military Police Agency
<b>MPAI</b>	-	Military Police Agency Instruction
<b>MPAO</b>	-	Military Police Area Office
<b>MPD</b>	-	Military Police Division
<b>MPDI</b>	-	Military Police Division Instruction
<b>MPI</b>	-	Military Police Instruction
<b>MPO</b>	-	Military Police Officials
<b>MPR</b>	-	Military Police Region
<b>MPS</b>	-	Malawi Police Service
<b>MSDS</b>	-	Military Skills Development System
<b>NAF</b>	-	Nigerian Police Force
<b>NCO</b>	-	Non-commissioned Officer
<b>NCPS</b>	-	National Crime Prevention Strategy
<b>NCPCSP</b>	-	National Crime Prevention Council Strategic Plan
<b>NDF</b>	-	Nigerian Defence Force
<b>NMDF</b>	-	Namibian Defence Force
<b>NDP</b>	-	National Development Plan
<b>NGO</b>	-	Non-Governmental Organization
<b>NIA</b>	-	National Intelligence Agency
<b>NMP</b>	-	Nigerian Military Police
<b>NMPR</b>	-	Northern Military Police Region
<b>NPA</b>	-	National Prosecuting Authority
<b>NPC</b>	-	National Police Commissioner
<b>NPF</b>	-	Nigeria Police Force
<b>OC</b>	-	Officer Commanding
<b>PAF</b>	-	People's Armed Force
<b>PFMA</b>	-	Public Finance Management Act
<b>PGO</b>	-	Police General Orders
<b>PLA</b>	-	People's Liberation Army
<b>PLAN</b>	-	People's Republic of China Navy

<b>PLAGF</b>	-	People's Republic of China Ground Forces
<b>PLARF</b>	-	People's Republic of China Reserve Force
<b>PMG</b>	-	Provost Marshal General
<b>PNC</b>	-	Police Nationale Congolaise
<b>POW</b>	-	Prisoners of War
<b>PPAF</b>	-	People's Armed Police Force
<b>PRC</b>	-	People's Republic of China
<b>RAF</b>	-	Russian Armed Forces
<b>RMF</b>	-	Russian Military Police
<b>ROC</b>	-	Republic of China
<b>ROCMP</b>	-	Republic of China Military Police
<b>RSA</b>	-	Republic of South Africa
<b>RSP</b>	-	Royal Swaziland Police
<b>RTMC</b>	-	Road Traffic Management Corporation
<b>SA</b>	-	South Africa
<b>SAA</b>	-	South African Army
<b>SAAF</b>	-	South African Air Force
<b>SACMP</b>	-	South African Corps of Military Police
<b>SADC</b>	-	South African Development Community
<b>SADCC</b>	-	South African Development Coordination Conference
<b>SADF</b>	-	South African Defence Force
<b>SAMHS</b>	-	South African Military Health Service
<b>SAN</b>	-	South African Navy
<b>SANDF</b>	-	South African National Defence Force
<b>SAPS</b>	-	South African Police Service
<b>SASS</b>	-	South African Secret Service
<b>SASSETA</b>	-	South African Safety and Security Sector Education and Training Authority
<b>SCP</b>	-	Social Crime Prevention
<b>SIB</b>	-	Special Investigation Branch
<b>SIPO</b>	-	Strategic Indicative Plan for the Organ
<b>SLA</b>	-	Service Level Agreement
<b>SMPR</b>	-	Southern Military Police Region

<b>SMS</b>	-	Short Message Service
<b>SSA</b>	-	Sub-Saharan Africa
<b>SSO</b>	-	Senior Staff Officer
<b>TBVC</b>	-	Transkei, Bophuthatswana, Venda and Ciskei
<b>TOJ</b>	-	Tribunal of Justice
<b>TPDF</b>	-	Tanzania People's Defence Force
<b>TTMP</b>	-	Thaba Tshwane Military Police
<b>TUT</b>	-	Tshwane University of Technology
<b>UMSO</b>	-	Unit Military Security Officer
<b>UN</b>	-	United Nations
<b>UNISA</b>	-	University of South Africa
<b>UPDF</b>	-	Uganda People's Defence Force
<b>UPDFMP</b>	-	Uganda People's Defence Force Military Police
<b>UPF</b>	-	Uganda Police Force
<b>USA</b>	-	United States of America
<b>USDF</b>	-	Umbutfo Swaziland Defence Force
<b>VIP</b>	-	Very Important Person
<b>WMPR</b>	-	Western Military Police Region
<b>ZCMP</b>	-	Zimbabwe Corps of Military Police
<b>ZDF</b>	-	Zambia Defence Force
<b>ZMP</b>	-	Zimbabwe Military Police
<b>ZPS</b>	-	Zimbabwe Police Service



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## **CHAPTER 1:        GENERAL ORIENTATION**

### **1.1     INTRODUCTION**

The general orientation focuses on, among other things, the reasons that prompted the researcher to decide to analyse the crime prevention role of the Military Police Division in the South African National Defence Force (SANDF) critically. The chapter also unpacks the objectives of the research study and what the study aims to achieve.

The chapter is divided into the following sections: the introduction; background to the study; problem statement; research aim and objectives; research questions; value of the research study; rationale for the study; definition of key theoretical concepts; demarcation of the study; chapter layout; challenges encountered during this study and the summary.

### **1.2     BACKGROUND TO THE STUDY**

The South African Defence Force (SADF) was established in 1912 after the SADF Act came into effect. The SADF was used as a tool of political oppression by the South African (SA) apartheid government until its amalgamation with the rest of the liberation forces in 1994 to form the SANDF (Malan & Makhoere, 2011).

The primary role of the SADF included, among other things, services in the prevention and elimination of terrorism and the prevention and rescinding of internal disorder in South Africa (Mortimer, [sa]). For example, they were deployed at the anti-apartheid protest in Sharpeville in Johannesburg on 21 March 1960 where thousands of African women marched against the apartheid government pass laws and where many lives were lost (Malan & Makhoere, 2011).



Within the SANDF there is a crime prevention element, the Military Police Division (MPD) and its role is to ensure that the SANDF is crime-free, since members are empowered to perform all the policing functions in terms of the Military Police Agency (MPA) Strategy of 2002 (2002:15). The MPD's role is, inter alia, to deal with internal proceedings, since they do not have jurisdiction over civilian members who are outside the SANDF. In terms of the MPA Instruction number 12 (2000:2), the MPD is tasked with the responsibility to prevent crime and to coordinate crime prevention activities throughout the SANDF. Moreover, the MPD has the capability of providing military policing to the Department of Defence (DOD) (DOD and Military Veterans Annual Report FY2012/13, 2013:96).

The MP has been in existence since 1912 and has been operating for 103 years, first within the SADF and later within the SANDF (Bapela, 2007). Current challenges that remain include theft of military equipment such as vehicles, computers, copper cables. Many things are stolen, almost on a daily basis, but the conviction rate is very low (Provost Marshal General (PMG), 2007:2). The PMG (2007:7) further mentions that SANDF vehicles, for instance, are stolen with the help of a 'finger-man' who works at the transport park section or with the help of drivers who form part of the deal. Sometimes guards are also involved, especially in cases where a vehicle is stolen from a military base. The 'finger-man' provides his friends with a duplicate key for a specific vehicle that has been targeted for theft (PMG, 2007:7).

Crime remains high in the SANDF despite the MP's endeavour to prevent crime. This impacts negatively on the economy of the country and on the image of the SANDF (MPA Strategy, 2002:15). Financial resources utilised by the SANDF to purchase equipment such as weapons, fighter jets, vehicles etcetera, come from taxpayers. Therefore, when military equipment is stolen, the SANDF requires more money from the government to replace the stolen equipment. The economy suffers because of crime, since money that is meant for other developments has to be rerouted to the SANDF.

According to Hartley (2013), of the 1 014 serious crimes reported between 2009 to 2013, 14 cases of attempted murder were reported, of which only 11 were referred to court with only three convictions. The MPD management refused to grant the researcher access to the crime statistics for the year 2010 to 2014 which were requested in June 2015 and those that were requested again in March 2018. The reason they provided was that the SANDF crime statistics are not for public consumption (Appendix F & G). However, 614 cases of common assault were reported in the SANDF, of which 423 were referred to court. Only 128 convictions were achieved (Hartley, 2013). These numbers suggest that the current crime prevention methods used by the MPD appear inadequate in curbing crime in the SANDF.

The Provost Marshal General (2007:1) further asserts that millions of rands are invested in the DOD annually and it is expected that members of the defence force deliver a professional service. He adds that the increase in financial crimes such as corruption, theft and fraud makes it difficult for the organisation to achieve its goals and objectives (PMG, 2007:1). The above statement is supported by Van den Bergh (2016:7), as she mentions that any kind of theft, whether big or small has a huge impact on the operationability of the SANDF. However, there are certain fraud preventative measures that have been put in place, but these make it very cumbersome for members to acquire goods and services because of the very lengthy processes.

The South African Corps of Military Police (SACMP) is entrusted with all the policing functions and responsibilities within the SANDF in South Africa (Defence Act 42 of 2002, Section 31). Therefore, the role of the MPD is to provide a military policing capability to the DOD (DOD and Military Veterans Annual Report FY2012/13, 2013:96). All criminal offences and some disciplinary offences related to SANDF members are reported to the MPD.

Offences such as assault, theft, arson, rape or any other criminal offence are reported to the MPD so that the relevant Military Police Official (MPO) can register a case docket, investigate the matter and hand over the case docket to

the Court of Military Judge (CMJ), commonly known as the Court Martial (Military Discipline Supplementary Measures Act 16 of 1999); or to the Magistrates Court. Crime prevention within the SANDF is the responsibility of the MPD with the assistance of the South African Police Service (SAPS) in cases where the MP does not have expertise, such as the fraud cases taking place at the Pretoria Central Procurement Service Centre (Gibson, 2015:9). The following section highlights the research problems.

### **1.3 PROBLEM STATEMENT**

A research problem can be defined as an issue that prompts a researcher to embark on a particular study. Such a problem may arise from the researcher's experiences in personal life or in the workplace. In other instances, it may spring from lengthy debates prevalent in academic literature. There could be a lacuna that has to be addressed, or the literature may contain perspectives that have to be challenged (Creswell, 2014:108). The problem that this study addresses is that members of the MPD are not equipped to prevent and combat crime effectively.

The MPD has many unfunded posts as a result of the budget cuts which have also led to the high levels of attrition. According to Buhali, as cited in Martin (2017), these cuts have resulted in new personnel not being offered permanent contracts. The new personnel refer to the Military Skills Development System (MSDS) members who have been trained for two years in order to rejuvenate the SANDF (Morse, 2014). Those that are not offered permanent contracts at the end of their two years of training are then automatically enlisted into the Reserve Force component of the SANDF, but within their respective corps (mustering) (according to Morse, 2014).

The Thaba Tshwane military area near Pretoria remains a crime hotspot. For this reason, the area received special attention in the form of crime prevention activities and high visibility policing operations by the MPD during the FY 2013/2014 (Department of Defence Annual Report FY2013/14, 2014:116).

Thaba Tshwane was known as Voortrekkerhoogte after its establishment in 1939. In May 1998 the name was changed to Thaba Tshwane by the former Minister of Defence, the late Mr Joe Modise. Thaba Tshwane is the heart of the SANDF, since it houses numerous headquarters and has more military bases than any other military area in South Africa (South African History Online, [sa]). The below figure (Figure 1.1) provides a satellite view of Thaba Tshwane in Pretoria.

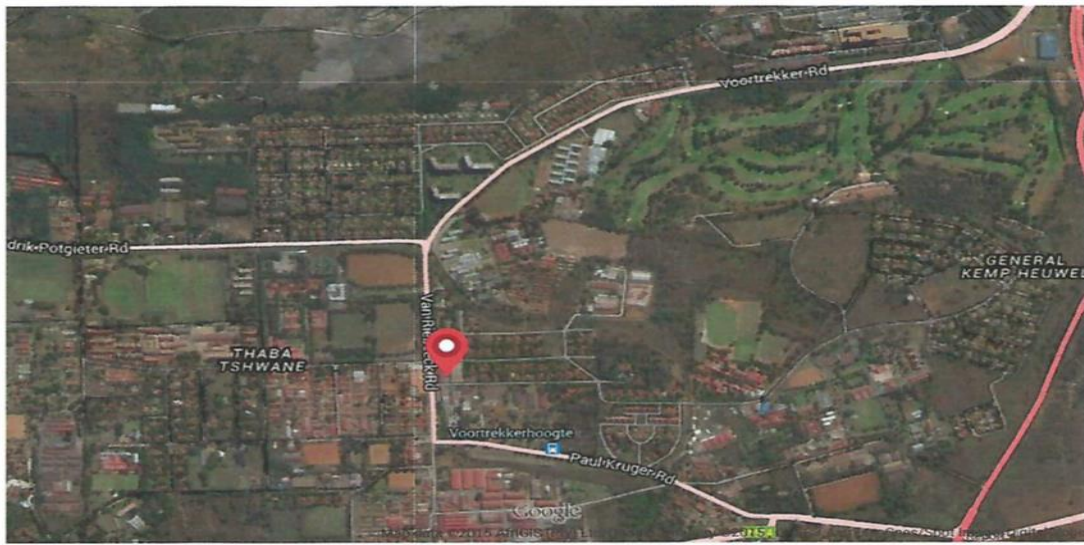


Figure 1.1: Satellite view of the location of Thaba Tshwane in Pretoria. (Google maps, 2016)

In 2010, an ABSA Bank automated teller machine (ATM) was bombed in the Thaba Tshwane shopping centre and questions were asked about the whereabouts of the MPOs, since there was no police reaction even after the alarm had been activated by the blast (Bateman, 2010). The same syndicate is believed to have attacked three more ATMs in Thaba Tshwane, which is the home of military members and several headquarters (Bateman, 2010). Thaba Tshwane shopping centre is about one kilometre away from the Thaba Tshwane Military Police (TTMP) station, but there was no reaction.

The DOD Annual Report FY2011/12 (2012:95) mentions that crime prevention in the Department of Defence is the priority of the MPD. The Defence Act (42 of 2002), sections 30 and 31, states that members of the MPD are accorded

similar powers, duties and responsibilities as their counterparts in the SAPS when discharging their duties. A member of the SAPS can arrest any person for committing a crime, including members of the SANDF. Similarly, members of the MPD are mandated to perform policing functions anytime and anywhere, including the maintenance of law and order, investigation of any offence or offence that is alleged to have been committed, or the prevention of crime for the purpose of enforcing the Defence Act (Section 31(1) of the Defence Act, (Act 42 of 2002)). This implies that they can arrest anyone for committing an offence or suspected of having committed an offence. However, in cases where a civilian member is arrested, that member must be handed over to the SAPS as soon as possible, since the MPD cannot detain a civilian person (Defence Act 42 of 2002, Section 31 (6), (a)). According to the DOD Annual Report FY2014/15 (2015:104), the duty of the MPD is to provide military policing capability to the DOD.

In a situation where a civilian member who works for the SANDF commits a crime, the MP can initiate the arrest and the necessary administration, but that member will later be handed over to the SAPS for custody and sometimes with the case docket for further investigation. During an interview (Interview No. 20, 2016c) with a senior member of the MPD at Thaba Tshwane on 10 October 2016 he said that he does not encourage his members to investigate cases that involve civilian members. His reason was that they do not have adequate resources such as vehicles and manpower to investigate such cases, hence they refer them to the nearest SAPS station for further investigation.

1 Military Hospital is in Pretoria and it is the main military hospital among the three military hospitals in South Africa. According to the News 24 Archives (2010), visiting VIPs, United Nations (UN) members and members of the SANDF and their immediate family members are treated at this hospital. According to the News 24 Archives (2010), this hospital has become a crime hotspot. This article further states that between 2008 and 2010, doctors' cars were stolen at the hospital during office hours while guards were at their posts.

There had also been break-ins in the doctors' residential area. Access control was introduced so that drivers have to sign in and out on a register and car boots have to be searched (News 24, 2010). After some complaints from the hospital senior management that the process of signing cars in and out was causing traffic congestion, access control measures were stopped (News 24 Archives, 2010). Thaba Tshwane has an MP station that is responsible for providing policing capability in the whole area of Thaba Tshwane. All cases (including 1 Military Hospital cases) are registered at TTMP station. The MPD initiated a system of reporting cases anonymously through the DOD intranet. The system is called "click and tell" (MPAI 05/99, 2003). The challenge here is that most members are not aware of this crime reporting tool and moreover, it requires that one must have access to a computer connected to the DOD network and also be computer literate.

#### **1.4 RESEARCH AIM AND OBJECTIVES**

This section provides the aim of the research followed by the objectives.

##### **1.4.1 Research aim**

Denscombe (2010:46) states that the aim of a research study states what the research tries to do. He further explains that the aim of the research provides direction to the study and also points to the desired target (Denscombe, 2010:49). Therefore, the aim of this study was to analyse the crime prevention role of the MPD in the SANDF critically.

##### **1.4.2 Research objectives**

Objectives, according to Andrew (2014) refer to the actions taken by the researcher when planning to initiate a research project. He further mentions that objectives characterise the arrangement of a research project. Therefore, the objectives of this research are as follows:

1. to explore the current crime prevention strategies used by the MPD in the SANDF;
2. to determine the role of the MPD in crime prevention within the SANDF;
3. to identify all crimes in the SANDF and look at the manner in which the MPD deals with such crimes;
4. to determine the role players in the prevention of crime in the SANDF in the SANDF;
5. to determine the role of the DOD Anti-Criminality section in curbing crime in the SANDF;
6. to explore the challenges experienced by the MPD when dealing with preventing crime in the SANDF; and
7. Proposed crime prevention model in the SANDF.

## 1.5 RESEARCH QUESTIONS

Research questions are significant because they direct the researcher to find appropriate literature and also give guidance on how to scale down the biographical exploration (Maree, 2007:3). Denscombe (2010:15) further adds that research questions emanate from reviews of existing literature. Therefore, the precise questions to be examined must be connected to what is already in the public domain about that particular topic. The questions further deal with one or more matters emanating from an analysis of research results that already exist (Denscombe, 2010:15). Maree (2007:3) further states that a good research question is characterised by the following:

1. **Clear** – it must not have dubious meaning but be understandable even to those that are not part of the environment where the research is taking place.
2. **Open-ended** – the question(s) must be asked in a manner that does not require an obvious answer. It must not be biased.

3. **Concise** – a research question must be short and straight to the point.
4. **Elegant** – the research question must be appropriate and convey rich meaning.
5. **Self-explanatory** – a good research question must be easy to understand without further elaboration.
6. **Operationalisable** – it must be possible to be applied practically. This also means that it must be easy and reasonable to implement.
7. **Theoretically rich** – a theoretically rich question raises and produces other fascinating research questions when posed.
8. **Grammatically correct** – the grammar used must be accurate and understandable because external viewers of research reports do not want to look at poorly asked research questions.
9. **Timely** – a good research question must deal with current pressing issues instead of addressing outdated ones.

The following are the research questions that the study aims to address during the research process. The questions are divided into two categories, namely primary and secondary questions. Therefore, the primary research question for this study is: What is the role of the MPD in crime prevention, since the MPD is the driver behind crime prevention in the SANDF? The secondary question that is also answered in this study is: How do MPs deal with civilian transgressors? This research question is significant because it provides intrinsic knowledge which is central to the research study.

## **1.6 VALUE OF THE RESEARCH STUDY**

This study may contribute to address the challenges related to crime and the crime prevention role of the MPD in the SANDF and to clarify the problem for those studying the phenomenon. The results may help others in the future as



well. The data gathered from participants provide insight into the problem. These insights can be used in future research. This research further adds value with its exploration of how crime is dealt with within the SANDF, especially by the MPD, since they are an entity authorised to provide policing capabilities within the SANDF. This study ameliorates the current methods and strategies that are used in the SANDF to prevent crimes committed internally by members of the organisation. Other countries that are experiencing similar challenges, particularly within the South African Development Community (SADC) region, might find this research study beneficial and they may implement both the recommendations and findings of this study to address their problems.

## **1.7 RATIONALE FOR THE STUDY**

SANDF members have been patrolling the streets of South Africa as far back as the days of apartheid. Members took part in crime prevention activities, riot control and the safeguarding of the borders of the SA. To date, members of the SANDF are still visible on the streets of SA, but now in cooperation with the SAPS. They help curb, amongst other things, xenophobic attacks and they help the police to restore law and order where necessary. These practices prompted the researcher to embark on this study to analyse the crime prevention role of the MPD in the SANDF in a critical manner.

The SANDF has suffered losses through crime, including theft, fraud and corruption. This is testimony that the SANDF is not immune to crime. The focus of this research is the crime prevention role of the MPD in the SANDF. Little research has been conducted on the role of the MPD in the SANDF as far as crime prevention within the organisation is concerned. The SANDF is supposed to be the safest and most crime free organisation in SA, but it is not the case, as crime takes place like in any other organisation.

## **1.8 DEFINITION OF KEY THEORETICAL CONCEPTS**

A research study is most likely to have key concepts and terms that need to be defined carefully so that they do not have ambiguous meanings (Denscombe, 2012:68). The above statement is corroborated by Guthrie (2010:3) who states that research produces various terms that require definitions as they could have different meanings depending on the field of study. Therefore, these concepts must be clearly defined in a particular manner. The following key concepts are used in the study:

### **1.8.1 Crime**

Anderson, Dyson, Langsam and Brooks (2007:48) define crime as any action or omission committed in violation of any law or which is prohibited and punishable by legislation. Crime is further expounded by Hagan (2011:12) as any behaviour and act for which a society provides formally sanctioned punishment.

### **1.8.2 Crime prevention**

Crime prevention is defined as an offensive strategy to combat crime (The Czech Republic Crime Prevention Strategy 2008–2011, 2008:2). Schneider (2010:6) characterises crime prevention as any precautionary measure aimed to stop or decrease the likelihood of the occurrence of a criminal act at a given location.

### **1.8.3 Military Police**

According to the Military Police Instruction Number 12/00 (2014:11), MP are the members of the SANDF responsible for the prevention of crime by applying various strategies and programs. The Collins Cobuild Advanced English Dictionary (2015:289) defines a MP as any member of either the army, navy or airforce that provides a policing capability within a defence force.

## 1.9 DEMARCATION OF THE STUDY

This study was conducted in SA in Thaba Tshwane, Centurion and the Defence Headquarters. Thaba Tshwane was the focus area of the study. It is a military village situated in Pretoria. The focus of the study was the SANDF, particularly the MPD, since they are the major role players in the prevention of crime in the SANDF. Thaba Tshwane was chosen as the best place for the research study since it is regarded as the face of the SANDF. It was also chosen because it is where most activities occur, including crime. The choice therefore enabled the researcher to gather adequate and rich data as far as crime and the crime prevention role of the MPD in the SANDF are concerned. It also provided the researcher with information that can be used for future research in both the MPD and the SANDF at large.

## 1.10 CHAPTER LAYOUT

The chapter layout of this study is as follows:

- 1.10.1      **Chapter 1: General orientation.** This chapter focuses on presenting the general overview of the study. It includes the background to the study, problem statement, research aim and objectives, research questions and key theoretical concepts.
- 1.10.2      **Chapter 2: Crime prevention role of the MP in selected defence forces.** In this chapter, the researcher critically analyses the crime prevention role of selected defence forces in the BRICS and SADC countries respectively. Of the BRICS countries, the study looks at Brazil, Russia, India and China. The South African situation is addressed in Chapter four. The crime prevention role in selected African countries with the SADC region, namely Swaziland, Zambia, Zimbabwe, Botswana, Lesotho, Tanzania, Namibia, Democratic Republic of Congo (DRC), Angola and Malawi are also addressed. Other countries beyond the SADC

region, the Republic of Uganda, Kenya and the Federal Republic of Nigeria are also investigated. The emphasis is on the role that various MP and civilian police forces play in their respective countries.

- 1.10.3      **Chapter 3: The relevance of general crime prevention forms and models in defence forces.** This chapter addresses the application of crime prevention models in the prevention of crime within the SANDF and the relevance of these models. The emphasis is on situational crime prevention, crime prevention through environmental design, social crime prevention and effective criminal justice.
- 1.10.4      **Chapter 4: The crime prevention role of the MPD in the SANDF.** This chapter discusses the crime prevention role of the MPD in the SANDF by focusing on the following: crime prevention role players in the SANDF, functions of the MPD, critical analysis of the MPD structure and SANDF crime statistics.
- 1.10.5      **Chapter 5: Research design and methodology.** The focus of this chapter is on presenting the research approach, research designs, the method used to collect data, the population and sampling, ethical considerations, the measures taken to ensure trustworthiness and the data analysis methods.
- 1.10.6      **Chapter 6: Research findings.** The research findings are discussed in detail in this chapter.
- 1.10.7      **Chapter 7: Interpretation of the findings.** This chapter offers the interpretation of the findings of this study by integrating the information from chapters 2, 3, 4 and 6.

- 1.10.8      **Chapter 8: Recommendations and conclusion:** This chapter offers conclusions based on the main findings of the research study. It also highlights issues that emerged during the research that require further research in future.

## **1.11 CHALLENGES ENCOUNTERED IN THIS STUDY**

This section takes a cursory look at the challenges or limitations that affected the research study in a negative manner. The following limitations were experienced during this research study:

1. Access to participants was a serious challenge, so the researcher had to resort to the snowball sampling technique in order to find the right participants.
2. Some participants were not comfortable when the researcher informed them that they would be recorded during interviews. However, the researcher was able to explain to them that their names were not going to be mentioned anywhere, assuring that confidentiality and anonymity was guaranteed.
3. The fact that the researcher is a member of the MPD worked both in his favour and against him, because most senior members of the MPD were willing to participate, but most of the junior members were not completely comfortable to take part. They felt that the researcher had been sent to gather information on them by the management of the MPD HQ, since he had worked with them for many years.
4. It was cumbersome to obtain information about the MP from various countries within the SADC Region even after

the researcher requested information from their respective embassies in Pretoria. These countries are the following: Swaziland, Botswana, Lesotho, Tanzania and the Democratic Republic of the Congo.

5. It was not easy to access information on the SANDF, since some classified documents had to be declassified before they could be handed over to the researcher which was time consuming.
6. The researcher requested crime statistics from the MPD twice, but the request was denied on both occasions. The oral reason provided was that the SANDF does not want the public to know about the types of crime occurring within the organisation for fear that the image of the SANDF would be tarnished.

The SANDF is affected by crime within its own ranks and crime prevention from within has not been easy as a result of reasons discussed in this study. Members of the SANDF are deployed along the borders of the South Africa, since it is the SANDF's constitutional mandate to protect the borders against illegal entry into the country. To ensure that these members do not commit crime while deployed to protect the borders of the RSA, members of the MPD are also deployed with them.

## **1.12 SUMMARY**

This chapter provided a general orientation with regard to the research study by addressing the background to the study, the aim and objectives, research questions, both primary and secondary, the rationale, the value of the study and the chapter layout.

## **CHAPTER 2: THE CRIME PREVENTION ROLE OF MILITARY POLICE IN SELECTED DEFENCE FORCES**

### **2.1 INTRODUCTION**

Crime prevention is not a new concept globally. It has been in existence since people have become victims of crime and were forced to devise some means to protect themselves, their families and their property. However, it is not until recent times that the concept crime prevention has significantly encompassed a set of ideologies aimed at proactively deterring crime. Many people view the participation of citizens in crime prevention as something new and unique, but the reality is that most crime prevention techniques have been in existence for many years.

This chapter looks at the crime prevention role of MP in different defence forces by paying attention to the definition of crime prevention and the different types of crime prevention. Subsequently it scrutinises the crime prevention role of the MP in the BRIC(S) countries, namely Brazil, Russia, India, China and SA (SA is dealt with in Chapter four). This chapter further discusses the SADC selected defence forces by focusing on the relevance of general crime prevention measures in the respective defence forces. The SADC countries that are evaluated are Swaziland, Zambia, Zimbabwe, Botswana, Lesotho, Tanzania, Namibia, the DRC, Angola, Malawi and SA in chapter four. Other countries outside the SADC that were also evaluated are Uganda, Kenya and Nigeria. The crime prevention role of the MPD in the SANDF is addressed comprehensively in Chapter four.

### **2.2 OVERVIEW OF CRIME PREVENTION**

Hunter and Dantzker (2012:21) define crime as an unlawful activity declared as such by a legislative body and punishable by law. According to the Military Police Agency Instruction (MPAI) Number 12/00, (2014:2), crime is an act of omission and commission that is prohibited by law and that has a negative or

damaging effect on individuals, the community and the State. The Community Crime Prevention, British Columbia, ([sa]:3) agrees with the definition by Hunter and Dantzker (2012:21) that crime is an act that is punishable by law upon a successful conviction. There are efforts to prevent crime by the police, community and private institutions because crime is a reality and it damages the reputation of our country.

The Czech Republic Crime Prevention Strategy 2008-2011 (2008:2) defines crime prevention as an aggressive action aimed at preventing crime. Lab (2014:27) in turn states that crime prevention encompasses any actions that are devised to reduce both the levels of crime and the fear of crime. The Auburn Crime Prevention Plan 2013–2016 (2013:4) defines crime prevention as actions aimed at decreasing the levels of criminal activity and the harm it causes to the victims. Furthermore, crime prevention focuses on the causes of crime rather than the effects crime has on the victims (Auburn Crime Prevention Plan 2013–2016, 2013:4). Crime prevention is an expectation and appreciation of a crime risk and includes the various actions that are employed jointly with the community leadership to remove or reduce the levels of crime (Bain, 2014). Regardless of all the definitions of crime prevention, it remains a challenge that crime prevention means different things to different individuals (Welsh & Farrington, 2010:2).

The Thunder Bay Crime Prevention Council 2011–2014 (2013:3) states that it is crucial to promote and encourage the belief that crime prevention is not the sole responsibility of the police, but of each and every citizen. This is because crime prevention decreases the costs related to criminal justice, education, health, social services and even policing (Thunder Bay Crime Prevention Council 2011–2014, 2013:1). According to Lab (2014:21), these crime prevention techniques that some perceive as new are surely the reincarnations of the old ones. Lab (2014:21) further suggests that it is only recently that citizens are no longer the primary line of defence against crime and victimisation.



There are currently many challenges facing policing in Africa. These encompass the multi-dimensional nature of the continent and the diversity of internal security risks and threats, including criminal violence, post-election violence, public disorder and political instability, which may result in utter chaos (Francis, 2012:4). It remains vital to protect the public, regardless of the increasing number of threats as a result of the public distrust that has been prevalent for many years due to mismanagement of resources across Africa. Policing is gradually changing, not only to deal with domestic issues, but also to deal with external or global security threats, such as those posed by organised groups which form part of a global network (Francis, 2012:4).

The Auburn Crime Prevention Plan 2013–2016 (2013:4) further states that crime prevention addresses the desire to avoid crime before it takes place. Crime prevention therefore targets the causes of crime instead of the effects of crime. The definition, as contained in the Auburn Crime Prevention Plan for 2013–2016 (2013:4) is corroborated by the United Nations Handbook on Crime Prevention Guidelines of 2010 (2010:9), in which crime prevention is defined as strategies and measures put in place to decrease the risk of crimes occurring and the effects crime has on society and individuals, including fear itself.

The Scotland Police Crime Prevention Strategy (2015) and the Western Australia Police Strategy of 2011 (2011) mention that crime prevention is about knowing and understanding the causes of crime before developing strategies to address them. The Scotland Police Crime Prevention Strategy (2015) further defines crime prevention as:

1. Prevention and reduction of crime that would have occurred if there was no intervention put in place;
2. Unique solutions designed by the police in partnership with the community where they also learn about shared problems.

3. Crime responses that are initiated to deal with problems before they occur, instead of reacting to crime matters on an incident-to-incident basis.

The above definitions of crime prevention reveal that crime prevention encompasses any actions that are aimed at the reduction of crime. Therefore, to reduce crime, the number of criminal activities and consequences must be reduced (Chainey & Ratcliffe, 2005:19). Crime prevention requires concerted effort, which in turn requires the involvement of individuals, law enforcement agencies such as the police, schools and local governments and the business sector in an attempt to prevent crime before it occurs (Sutton, Cherney & White, 2014: 81). According to the United Nations Handbook on Crime Prevention Guidelines of 2010 (2010:17), crime prevention has been considered a police term, while community safety is considered to signify a wide range of interests as far as crime consequences are concerned in Britain.

It is imperative to involve the military community in all crime prevention programmes within the military environment because everyone has an obligation when it comes to creating a safe and free environment for all (MPAI No.12/00, 2001:2). Shaw and Travers (2007:9) mention that crime prevention, as defined by the 2002 United Nations Guidelines for the Prevention of Crime, involves strategies and measures that are put in place to reduce the risk of crimes taking place, and their negative effects on individuals and society. Prevention is related to the intervention that will influence the causes of crime.

Chainey and Ratcliffe (2005:190) differentiate between crime prevention, crime reduction and crime control. Crime prevention takes place before a crime is committed, while crime reduction occurs after crime has been identified within a specific area. It has to be considered as an action that brings benefits as well as a fear of crime. It also includes the impact of other programmes that may have brought some positive results in the reduction of crime. According to the Community Crime Prevention, British Columbia ([sa]:7), crime reduction

depends on information received via intelligence sources about existing criminals and their locations.

Crime reduction, as defined by Chainey and Ratcliffe (2005:19), is an intervention that promotes a spirit of hope that all actions directed towards finding a solution to crime will definitely reduce crime and other criminal events. Crime control comes into effect once a crime has already been committed. The main aim of crime control is to put some control measures in place to ensure that levels of crime are adequately and properly controlled so that they do not escalate further. Failure to control crime could lead to a situation where crime spirals out of control (Chainey & Ratcliffe, 2005:19).

The monitoring of problems is a significant factor when it comes to crime control because it keeps crime at a tolerable level instead of allowing it to get to a situation where it can no longer be prevented (Chainey & Ratcliffe, 2005:18). High visibility policing, random police patrols and rapid response to citizen calls are all methods of traditional policing aimed at controlling crime (Plant & Scott, 2009:36). Dennis (2012:9) agrees with the statement by Plant and Scott (2009:36) that the traditional method to control crime depended fundamentally on models of deterrence, punishment and rehabilitation.

The Czech Republic Crime Prevention Strategy of 2008–2011 (2008:3) adds that crime prevention includes social measures, building implementation capacity, information for citizens and their engagement and awareness. Situational measures are:

1. **Social measures** – the focus is on social and economic issues, including individuals and their families who may be at high risk, citizens who reside in high-risk areas, with an aim of changing the adverse social and economic situation (The Czech Republic Crime Prevention Strategy of 2008–2011, 2008:3).

2. **Building implementation capacity** – this implies building and improving the crime prevention system and conditions that will subsequently improve the implementation of the national, regional and local prevention and facilitation of financial support (The Czech Republic Crime Prevention Strategy of 2008–2011, 2008:3).
3. **Information for citizens and their engagement and awareness** – the focus is on the dissemination of security information pertaining to the situation and the available means of protection against crime. The emphasis is on the improvement of security by citizens in their respective environments (The Czech Republic Crime Prevention Strategy of 2008–2011, 2008:3).
4. **Situational measures** – the emphasis is on technical matters, including urban planning aimed at ensuring public safety and decreasing opportunities to commit crime, escalating the offender risk of apprehension and decreasing profits emanating from crime (The Czech Republic Crime Prevention Strategy of 2008–2011, 2008:3).

Crime Prevention in Ontario: a framework for action ([sa]:12) states that crime prevention is a concept that moves with the times. This is the reason why current crime prevention approaches concentrate largely on addressing the risk associated with crime through social approaches. Furthermore, crime prevention remains an important tool in combating crime, including crimes that are reported to the police and those that remain undisclosed for whatever reason (Crime Prevention in Ontario: a framework for action, [sa]:12). The crucial aspect is that crime prevention is the responsibility of every citizen, including the police, government, community groups, business owners and ordinary citizens. They all have a significant role to play (Bain, 2014).

A growing population creates opportunities for the commission of crime and therefore it is the responsibility of societies to try and establish institutions that can help to create a safe and free environment for all (Akuul, 2011:16). Therefore, crime prevention must not be viewed as the responsibility of the police alone. Each citizen has a role to play in creating a safe and free environment where everyone can go on with their daily lives without fear of crime. Mitra ([sa]:3) emphasises that crime prevention requires a concerted effort from individuals, businesses, communities, Non-Governmental Organisations (NGO) and all levels of government to address the causes of crime by developing workable strategies. According to the International Association of Chiefs of Police (IACP) Crime Prevention Committees as cited in Fantino [sa], community safety remains every citizen's obligation and crime prevention is everyone's concern. It takes strong, committed and visionary leaders to ensure that crime prevention programmes are successful.

According to the National Development Plan (NDP) Vision for 2030 (2011:351), the Criminal Justice System (CJS) must promote public confidence. Public confidence is necessary and significant in curbing crime and in intensifying the levels of safety for the public. If the CJS is inefficient, more opportunities are created for crime to escalate. The NDP further emphasises that the police cannot fight crime on their own, so there is a need to involve the public through community policing. However, some changes are necessary so that the police role is expanded in dealing with issues like policing and parole boards (NDP Vision for 2030, 2011:351). The visible presence of more police provides citizens with a sense of safety and protection. However, crime reduction requires various forms of interventions. This is not limited to the CJS, but includes people from outside (NDP Vision for 2030, 2011:356).

The MPD works together with the Defence Legal Service Division (DLSD) in ensuring that the community's (military community) confidence is restored in the SANDF (See 3.5.1). The DLSD deals with both criminal and disciplinary cases. The criminal cases are those that are reported to the MPD through the respective MP stations and the disciplinary cases come from the Officers

Commanding (OCs) through the unit adjutants or legal officers. The DLSD helped the MPD in drafting the recently approved Detention Barracks Regulations so that they conform to the Constitutional obligation as well as international standards (DOD Annual Report FY2014/15, 2015:67). Moreover, the community also plays a role in the prevention of crime by participating in the various community policing forums within their respective areas (See 3.2.2, para 1). The involvement of the community is crucial so that they understand that the prevention of crime in the SANDF is not only the responsibility of the MP, but of everyone within their respective environments (DOD Annual Report FY2014/15, 2015:146).

Effective crime prevention programmes can minimise the levels of crime in any environment. This can only be achieved if crime prevention is not viewed as the responsibility of the police alone. Everyone has a role to play in crime prevention in their respective environments in some way, such as ensuring that their properties are protected and reporting any suspicious actions to the police.

### **2.3 AN INTERNATIONAL PERSPECTIVE ON THE CRIME PREVENTION ROLE OF THE MILITARY POLICE IN SELECTED DEFENCE FORCES**

This section examines both BRICS and SADC countries. The BRICS countries discussed in this section are Brazil, Russia, India, and China, excluding SA which is discussed in Chapter four. Ten of the 16 countries from the SADC region are included, namely Swaziland, Zambia, Zimbabwe, Botswana, Mozambique, Tanzania, DRC, Namibia, Angola and Malawi. Countries outside the SADC were also evaluated, namely Uganda, Kenya and Nigeria. Information on the MP in the remaining countries is not readily available. These countries are Seychelles, Mauritius, Madagascar and Comores. The focus is on the crime prevention role of the MP in the respective defence forces.

The BRICS Report of 2012 (2012) states that the abbreviation BRIC stands for Brazil, Russia, India and China. The term BRIC was coined by the chief economist of Goldman Sachs in the year 2001. The term first surfaced in his

paper titled “Building Better Global Economic BRICs”, which focused on the future growth of the largest emerging economies. The four countries are both geographically and culturally disparate. The RSA was later included because it accounts for a third of Sub-Saharan Africa’s (SSA) gross domestic product (GDP) and it has the largest economy in the region according to the Quarterly Bulletin, January to March 2013 (2013). Collectively, BRICS amounts for over 40 per cent of the world population, almost 30 per cent of the land mass, and a large share of the global GDP.

The role of the BRICS countries as emerging champions in international development cooperation is important and ever-changing. BRICS increased both financial and technical assistance to low income countries and they established ways and means of economic cooperation over the last decade (Morazán, Knoke, Knoblauch & Schäfer, 2012:6). According to De Almeida (2009:1), China holds a fifth of the world’s population, followed by India at 17.5 per cent, Brazil at 2.9 per cent and Russia at 2.2 per cent. The Global Sherpa (2009), as cited in the Quarterly Bulletin, January to March 2013 (2013), indicates that BRICS was formed because the member countries want to make an effort to strengthen cooperation among them to meet some of the global challenges that growing economies face. The cooperation of these countries is aimed at realising one objective, namely meeting the economic needs of this current century, including investment in infrastructure development, consumption and escalating trade amongst these countries (Quarterly Bulletin, January to March 2013).

The SADC consists of the following countries: SA, Angola, DRC, Swaziland, Botswana, Malawi, Lesotho, Mozambique, Seychelles, Mauritius, United Republic of Tanzania, Zambia, Namibia, Madagascar, and Zimbabwe. There are currently 16 member states, including the Comores that was admitted in the year 2017 (Fabricius, 2017). According to Burgess (2009:5), the SADC is in Sub-Saharan Africa (SSA) and it accounts for approximately half of the regional GDP at market value. He further claims that it remains the richest entity in the SSA, since it accounts for about two thirds of the *per capita income*, which is

above the continental average. However, there are huge variations when it comes to income across its membership. SA is the main contributor to the SADC, since it accounts for approximately two-thirds of the whole output (Burgess, 2009:5).

The SADC, Regional Indicative Strategic Development Plan ([sa]:4) mentions that the SADC was established in 1992 as a result of the Southern African Development Coordination Conference (SADCC) in 1980. The SADCC then had only nine member states, namely Lesotho, Angola, Malawi, Botswana, Mozambique, Tanzania, Swaziland, Zimbabwe and Zambia (SADC, Regional Indicative Strategic Development Plan, [sa]:1). The SADC was established after all member states signed the declaration and treaty that called for the replacement of the SADCC by the SADC in 1992. The vision of the SADC is to improve the living standard of all the people in the region, to improve the quality of their lives, to ensure freedom and social justice, and moreover, to attain peace and security within the region.

The SADC mission, according to the SADC, Regional Indicative Strategic Development Plan ([sa]:4), is among other things, to effect sustainable and equitable growth and socioeconomic development. This can be achieved through efficient productive systems. The mission is also to encourage good governance and peace and security within the SADC region so that the region can remain a major role player in the global economy.

The section below focuses on the crime prevention roles of the defence forces of both the BRICS and SADC countries respectively, and the methods used to prevent crime. This section does not cover the crime prevention role of the MPD in the SANDFF, since this is addressed in Chapter four.



### **2.3.1 The Crime prevention role of the military police in the BRIC(S) defence forces**

BRICS has stated emphatically that the member states are going to deal with transnational organised crime without violating any human rights, in addition to other crimes. Collective efforts aimed at thwarting and fighting transnational criminal activities are supported by BRICS (Martynov, [sa]). Combating transnational organised crime is also a priority in SA, according to the National Crime Prevention Strategy (NCPS) of 1996, pillar number four. The establishment of BRICS came at a time when SA and the African continent were facing challenges that posed a threat to peace and security (Siwisa, [sa]:4). Therefore, this section discusses the crime prevention role of the MP in the BRICS defence forces.

#### **2.3.1.1 The Brazilian Defence Force**

Bitencourt [sa:1] and Cano [sa] share the understanding that the high levels of crime in some of Brazil's big cities have been a serious challenge for many years. Cano [sa] mentions that Brazil is just like other countries within their region that also have similar crises as far as public security is concerned. The high levels of crime started escalating in the early 1980s and the 1990s. Brazilians were under the impression that crime fighting was the responsibility of the police and they believed that the end of the dictatorship would put the issues of law and order in the right perspective (Cano, [sa]).

Cano [sa], Samset (2014:5) and Bitencourt (2011:13) further mention that public security in Brazil is viewed as the responsibility of the State. Their policing model is multifaceted so that all the states have their own police force. The civilian police have law enforcement authority to investigate crimes committed in terms of the criminal law. According to the Federative Republic of Brazil, Constitution of 1988 (Article 44 of 1988), the State has a duty and responsibility to ensure that the people of Brazil and their property are protected

by the following agencies: Federal Police, Federal Highway Police, Federal Railway Police, Civil Police, MP and Military Fire-fighters.

The MP has the law enforcement role to investigate crimes committed in terms of the criminal law and the Tribunal of Justice (TOJ), which is under the federal model. The Federal Police (FP) is smaller than any other state police forces in Brazil and the Federal Criminal Justice (FCJ) is restricted in its jurisdiction to specific crimes (Cano [sa]; Samset, 2014:5; Bitencourt, 2011:13). The MP, Military Fire Brigades and the Civil Police report directly to their respective governors of the states of the federal district and of the territories (Constitution of Brazil, Article 44 of 1988).

The civilian police do not wear uniforms and they do not conduct crime prevention work or patrols, since that is the function of the Brazilian MP. According to Barbara (2014), the Brazilian MP is considered the ancillary arm of the Brazilian Army. They have a direct role in the prevention of crime and also the authority to arrest suspects. Barbara (2014) further mentions that the MP operates in accordance with the military principles in terms of discipline and rank structure, but they do not form part of the armed forces in Brazil.

According to Samset (2014:5), the roles and responsibilities of the Brazilian MP are patrolling, responding to calls, and making arrests in cases where suspects are caught in the act. The MP are in constant contact with the public because they are responsible for patrols, first incident reports and preventive policing work. Moreover, the MP report directly to the civilian governor, but it must be noted that they remain soldiers and linked to the military in various ways (Samset, 2014:5). However, according to Jones (2013), the MP are the most corrupt police in Brazil, contributing 18.2 percent of all bribery cases reported in the year 2013. This prompted the Brazilian authorities in Rio de Janeiro to issue warrants of arrests for 96 MP Officers, both serving and retired members. These officers were wanted for cases ranging from accepting bribes in exchange for rendering protection to drug traffickers, providing them with weapons and carrying out kidnappings on their behalf (Clavel, 2017).

In São Paulo, the MP are actively involved in community policing programmes. Once a month, one MP Officer meets with the community to discuss crime-related matters (Anon, [sa]:2). The 1988 Constitution of Brazil grants the State authority over public safety issues. Samset (2014:6) is of the view that irrespective of the other issues such as the prevention of crime in Brazil, the utilisation of armed forces in the defence of the country and for the protection of constitutional powers, maintenance of law and order is the responsibility of the President of the Republic of Brazil. Samset (2014:4) further mentions that the role of the Brazilian armed forces, including the MP as stated in the Constitution of Federative Republic of Brazil of 1998 in Article 142, is to defend the country and its people and the maintenance of law and order.

It must be noted that the law makes it clear that for security purposes, the armed forces can be utilised for the maintenance of law and order only after other measures have been exhausted, which means that the use of the armed forces must be the last resort (Samset, 2014:5). Forman, Finlay and McKeon (2014:14) point out that some Brazilians are unenthusiastic about the use of the military in performing policing functions anywhere in Brazil as a result of high levels of distrust towards the military. This is because when the MP are deployed to repress protests, they use extreme force in the form of tear gas, pepper spray and rubber bullets to disperse protesters. Some major media houses have turned against the security forces because of their abuse of authority (Rodrigues, [sa]).

The above statement is affirmed by Bitencourt ([sa]:8), who explains that the utilisation of the MP in crime prevention activities has been criticized because they use excessive force. This has been attributed to a lack of training in the field of maintenance of law and order. One example of this was an incident on the 19<sup>th</sup> of July 1993 when 16 members of the MP killed 69 civilians. Over time such incidents have multiplied in Brazil. In the Brazil Human Rights Report for 2013 (2013:2), the State Secretariat for Public Security reports that a total number of 239 civilians were killed by the MP in São Paulo in 2012. This could be attributed to the fact that military training in weaponry is directed towards

identifying and fighting the enemy and not towards serving and protecting the citizens of Brazil (Rodrigues, [sa]).

Federal forces are authorised by the Federal Constitution of Brazil of 1998 to take part in law enforcement operations, but only in some states where crime is problematic. Bitencourt ([sa]:8) also believes that the deployment of the military in fighting crime should not be allowed because of the difference between the doctrines of the police and those of the military. The doctrines of the police differ from those of the military in terms of training, equipment and structure. Armed forces are not trained to fight crime since their primary mission is to defend the country's sovereignty against any military aggression. Bitencourt ([sa]:8) further argues that military personnel are trained in such a way that they are able to act both violently and decisively. Therefore, in his view, the military does not have a direct role to play in crime prevention and moreover, they are not capacitated with the required skills to do police investigations. Due to the nature of military training, the military cannot be used for law enforcement purposes, since this may result in the use of unnecessary violence or destruction (Bitencourt, [sa]:8).

Beato and Silveira (2014) assert that the MP is an institution responsible for the prevention of crime and violence in Brazil. They carry out a total of 56 per cent of crime prevention actions, followed by 23 per cent conducted by the Civil Police (CP) and ten and eleven per cent by the State secretariat and other non-governmental organisations (NGOs) respectively. The Brazilian defence force does not have a direct role to play in the prevention of crime but the military police has a direct role and authority to participate in crime prevention operations anywhere in Brazil since they report directly to a civilian authority. However, they are also linked to the military since they are soldiers. The military can assist with maintaining law and order in cooperation with the civilian police or the military police.

Bennet ([sa]:16) asserts that history has proven that it is not appropriate to make use of the defence force in any domestic role, whether on a permanent or semi-permanent basis. He provides the following reasons:

1. Brazilian Armed Forces are not trained and equipped to be deployed among civilians, but rather to apply maximum force against any military aggressors.
2. The continuous involvement of the military in law and order issues results in the military being involved in non-military activities.
3. Continuous internal deployment of the military creates an unnecessary burden on the defence and security budget.
4. Prolonged deployment of the military to deal with internal matters undermines the image and the legitimacy of the defence force in the eyes of the public.

During the 2016 Olympic Games in Rio de Janeiro, the MP General Commander announced that 14 000 members of the MP would be deployed as security officers (Charner, Walsh & Berlinger, 2016). It was also announced on 10 August 2016 that the MP would be tightening security in Rio de Janeiro after a bus transporting journalists was attacked with an unknown object, leaving its windows broken (Anon, 2016a).

#### 2.3.1.2 Russian Defence Force

The Russian army is so enormous that it is able to call up 20 million reservists for duty. Its total strength of active military personnel used to be around 1.13 million. It was reduced to 1 million by the year 2016. The reserve force was decreased to 700 000 members (Klein, 2009:15). Article 87 (1) of the Constitution of the Russian Federation states that the supreme commander-in-chief of the Russian armed forces shall be the President of the Russian Federation (Nichol, 2014:9). According to Goltz, Gontmakher, Grigoriev, Kulik, Makarenko, Maslennikov, Plaksin, Rubstsov, Shatalova and Yergens (2010:16)

the army and other law enforcement agencies work together in an effective manner to achieve their mission of defending the country against any external threats and maintaining law and order within Russia. The Russian Defence Force does have a crime prevention entity within its ranks, the MP which is discussed later in this section.

The Federal Law No. 3-FZ “On the Police”, Article 1 (2012) states that the duty of the police is to protect the lives and the freedom of all citizens of the Federal State of Russia, including foreign citizens. They also have to prevent crime and maintain public order. Article 2 of the Federal Law No. 3-FZ “On the Police” deals with the prevention of crime and administrative offences. The Russian police law clearly defines the primary functions of the police, which are similar to other police services in the world, namely the maintenance of public safety and order. A press release that was approved by the President of the Russian Federation on the 25<sup>th</sup> of December 2014, states that some of the main roles and functions of the Russian armed forces are the protection of the sovereignty and territorial integrity of the Russian Federation.

It further mentions that other functions are to protect and defend all states and military strategic points, such as communication lines, and to participate in law enforcement activities within the Russian Federation. Crime prevention in the Russian Federation rests with the Russian Police. The armed forces have a role to protect the sovereignty and integrity of the Russian Federation, but they also take part in law enforcement activities. There is a crime prevention entity within the Russian Army, namely the Russian Military Police (RMP).

The establishment of the RMP was approved into Presidential Law on 29 January 2014 (Pike, 2017). This Presidential Law grants the RMP the right and authority to utilise physical force when necessary, including combat fighting techniques, specialist equipment and firearms. The RMP was established to maintain law and order and also to defend and protect all military bases (Pike, 2017). Their main functions are to protect the life, health, and the autonomy of both the military and civilian personnel within the armed forces. It also has to

ensure law and order and military discipline within the Russian Armed Forces (RAF).

A charter defining all the RMP functions, tasks and structure was endorsed on the 25<sup>th</sup> of March 2015 and confirmed in Presidential Edict number 161 (The Russian Way of War, 2017:366). This charter states that the RMP's role is to maintain law and order, provide physical security, to investigate disciplinary offences and criminal misconduct in general, to operate their detention facilities, and to ensure traffic safety, but they do not conduct route security (The Russian Way of War, 2017:367).

The RMP are required to provide protection to witnesses, victims and other participants like criminal judges and military prosecutors. What is significant about the RMP is that they operate directly under the authority of the RAF Prosecutor General and his subordinates, the military prosecutors. This arrangement gives the RMP the authority to cordon off or blockade any military facility or garrison without having to ask permission from the unit commanders (The Russian Way of War, 2017:367).

According to Pike (2017), the RMP are tasked to render protection to Russian servicemen, to investigate crimes committed by or against any military personnel, to guard the guardhouse (detention barracks) as well as to maintain law and order within the RAF. They have the duty to search, arrest and detain soldiers who refuse to perform military service.

#### 2.3.1.3 Indian Defence Force

The size of the Indian army stood at 1 129 900 active members in the year 2010, with 960 000 reserve force members. The primary mission of the Indian army, according to Rathore [sa], is to protect the territorial integrity of the Republic of India and to perform other assignments as may be required by the Indian government.

The commander-in-chief of the Indian army is the President of the Republic and the main objective of the Indian army is to defend the nation's frontiers. Over time the army also took the responsibility of providing internal security, especially against insurgents (Defence Forces Information Handbook, 2011). According to the Armed Forces (Special Powers) Act, 1958 in Manipur and other states of the Northeast of India (2011:6), military personnel include both commissioned and non-commissioned officers and any other members of the armed forces with an equivalent rank. They are granted powers by this act to arrest any person who has committed an offence and who is reasonably suspected of having committed an offence, but once the person is arrested they are to be handed over to the nearest police (civilian) station.

The Indian Police Act of 1861, as cited in the Police Organisation in India ([SA]:21), states that crime prevention is the responsibility of the police. It is also echoed in the Code of Conduct for the police that the primary role of the Indian police is the prevention of crime and disorder. According to Paramasivam ([sa]:9), the Criminal Procedure Code (CPC) makes it mandatory for all crimes to be recorded at police stations and for the police to handle all crime prevention and investigations. However, crime issues within the Indian Defence Force are handled by the Indian Corps of Military Police.

The Indian Corps of Military Police as it is called, was established in 1939 as part of the Force Four Provost Unit (Corps of Military Police, [sa]). The primary role of the Corps of Military Police during peace and war times are the following:

1. To conduct policing at the Cantonments and Army facilities;
2. The maintenance movements of both soldiers and logistical support, including vehicles during both peace and war times;
3. To maintain order and discipline in the army facilities and to prevent any violation of rules and regulations of the Indian Army;



4. Proper handling and control of both refugees and stragglers during war time;
5. To provide assistance to the Civil Police;
6. Proper handling of Prisoners of War (POWs);
7. Responsible for the investigation of all cases taking place within the Indian Army;
8. To render assistance to other Regiments, military personnel and their respective families;
9. Responsible to guard and provide close protection to the Chief of Army Staff.

The Indian defence force therefore does not have any role in crime prevention activities within the Republic of India. The Indian Police are constitutionally authorised to prevent crime, but they can request the assistance of the defence force in maintaining law and order where necessary. Hence the Indian MP have a role in the maintenance of law and order within the Indian Defence Force.

#### 2.2.1.4 Chinese Defence Force

The People's Liberation Army (PLA) is the Chinese defence force. It includes all the land, sea, strategic missile, and air forces of the People's Republic of China (PRC). It is a strong army that comprises about three million members and it is the world's largest active army (The People's Republic of China – Military capabilities, [sa]:1). There are five main service branches of the PLA, namely the PLA Ground Force (PLAGF), PLA Navy (PLAN), PLA Air Force (PLAAF), Second Artillery Corps (PLASAC), and the PLA Reserve Force (PLARF). There is also the Chinese paramilitary force called the People's Armed Police (PAP). Within the Chinese Defence Force there is also the Republic of China MP which are mandated to prevent crime within the defence force. Their role is discussed later in this section.

The Constitution of the People's Republic of China of 1982 (with amendments through 2004) and the Diversified Employment of China's Armed Force

Document of 2013 (2013:7) both state that the primary role of the China's armed forces is the defence of the Republic of China, resisting any foreign military aggression and defending the motherland. The armed forces are also responsible for China's security requirements, including the maintenance of peace, containment of crises, winning wars and the safeguarding of borders. They are furthermore responsible for the prevention of any provocative action that could undermine the sovereignty of China, the country's security and territorial integrity and the safeguarding of the national interests of China.

According to Cordesman and Colley (2015:162), there is also the People's Armed Police Force (PAPF), also called the People's Armed Police (PAP), which is employed under the command of the Central Military Council (CMC) and the State Council, although it is not part of the PLA. According to article 93 of the Constitution of the People's Republic of China of 1982 (with amendments through 2004), the Central Military Commission is charged with directing all the armed forces of the Republic. According to Palmer (2011:70), there are three types of police in China namely the State Security Police, the Prison Police and the Judicial Police.

Within the Chinese Defence Force there is The Republic of China Military Police (ROCMP) which was established in the year 1914 after the then provisional President of China Dr. Sun Yat-sen took office (ROCMP, [sa]). According to Kendall (2014), the ROCMP operates between the police force and the country's army. Their role is to render assistance to the Chinese military in times of disasters and also in conducting counter terrorism operation functions within the country. Kendall (2014) further mentions that the ROCMP is also responsible to guard crucial political figures and other facilities throughout the year.

The major roles of the ROCMP in the military are the following (ROCMP, [sa]):

1. To conduct operations aims to counter terrorism;
2. To impose military discipline;

3. To conduct garrison security;
4. To render support military operations; and
5. To do special security duties, including presidential protection services.

The ROC also plays a pivotal role in rendering the following supportive functions in the civilian affairs, like the following (ROCMP, [sa])

1. They maintain public security;
2. They respond and ensure social stability and national security;
3. They conduct military justice and law enforcement operations; and
4. They also render support during disasters via the regional disaster prevention department.

The ROCMP has its own intelligence capability which assists to conduct intelligence missions of security investigations to fulfil its roles and functions. The intelligence section provides the following categories of services (ROCMP, [sa]): Special services for presidential security and protection, politics, military, criminal cases, foreign affairs, and social order.

In most BRICS countries the major role of the police force is to prevent crime. The exception is Brazil, where civilian police do not have any role in the prevention of crime, but they are authorised to do crime investigations, hence the MP play a crucial role in the prevention of crime. In some countries, such as India, military personnel are given the authority to arrest any person, but the arrested person must be detained at a police station as soon as possible.

### **2.3.2 The crime prevention role of Military Police in the South African Development Community (SADC) defence forces**

This section discusses the ten of the 16 countries (See 2.3, para 4) that are member states of the SADC, namely Swaziland, Zambia, Zimbabwe,



member states are interdependent for economic growth, security, defence and to bring political stability to the region.

#### 2.3.2.1 Umbutfo Swaziland Defence Force

Swaziland is a monarchy and King Mswati III and his mother, Queen Ntombi, who is a co-monarch, have superior authority over the cabinet, legislature and judiciary (Country Reports on Human Rights Practices, 2011:1). The Umbutfo Swaziland Defence Force (USDF) was established in 1973 to replace the British Army after Swaziland gained its independence in 1968. Its role was to defend the kingship against any internal threats. The word *Umbutfo* is taken from the siSwati language, the official language of Swaziland and it means a “regiment” (Cawthra, du Pisani & Omari, 2007:175).

According to the Constitution of the Kingdom of Swaziland Act 2005, the king is the commander-in-chief of the Defence Force; the commander-in-chief of the Police Service and the commissioner-in-chief of the Correctional Services. Section 191 of the Constitution of the Kingdom of Swaziland of 2005 further states that the USDF consists of the army, air force and the navy and it is a permanent national defence force accountable to a civilian authority. Its primary objective is to defend and protect the sovereignty and integrity of the people of the Kingdom of Swaziland. The strength of the USDF was estimated to be about 3 000 members in the year 2005 (Tshabalala, Nhlengethwa & Rupiya, 2005:290).

Tshabalala et al. (2005:278) further relay that the roles of the USDF is to defend the territorial integrity of the country; support the constitution and the flag; protect the institution of the monarchy in terms of providing very important person (VIP) protection and ceremonial duties and to support the Royal Swaziland Police Service (RSPS). The USDF also supports the civilian authorities of Swaziland since they are under civilian authority. They assist the RSPS where necessary.

The USDF is responsible for both internal and external security and for the protection of the royal residences. This includes protecting the King, his mother the Queen, the princes and princesses and safeguarding strategic points in Swaziland. The USDF reports directly to the King, since he is the Minister of Defence (Tshabalala et al, 2005:281).

The Constitution of the Kingdom of Swaziland of 2005, Section 189 (1) states that the role of the RSPS is to prevent crime within Swaziland and to detect crime and apprehend offenders. Therefore, the crime prevention authority and responsibility in Swaziland is with the RSPS and not the USDF. The researcher tried to obtain information about the Swaziland MP from any form of source but could not find anything. However, according to Magagula (2011), Swaziland does not have a need for an army and the finances spent to keep the army running should be redirected to other developments. He further states that what the country needs, is the MP who will be responsible for the monitoring of the country's security.

#### 2.3.2.2 The Zambian Defence Force

The Zambian Defence Force (ZDF) was established in terms of section 100 of the Constitution of Zambia (as amended by Act No 18 of 1966). Section 101 of the Constitution of Zambia states that the roles and functions of the ZDF are to:

1. Preserve and defend the sovereignty and territorial integrity of Zambia;
2. Cooperate with the civilian authority in emergency situations and in cases of natural disasters;
3. Foster harmony and understanding between the Zambian Defence Force and civilians; and
4. Engage in productive activities for the development of Zambia.

The Zambian Police Force (ZPF), being the counterpart of the ZDF, was established in terms of Section 103 (1) of the Constitution of Zambia (as amended by Act No 18 of 1966). Section 104 of the Constitution of Zambia states the following roles and functions of the ZPF:

1. To preserve law and order;
2. To protect life and property;
3. To detect and prevent crime; and
4. To cooperate with civilian authority and other security organs established under the Constitution of Zambia.

Section 5 of the Zambian Defence Act (as amended by Act No 32 of 1971), states that: "The defence force shall be charged with the defence of Zambia and with such other duties as it may from time-to-time be determined by the president". Therefore, the crime prevention role in Zambia rests with the ZPF and not the ZDF, but the ZPF can request the assistance of the ZDF in cases where they are unable to control a particular situation.

According to Kalunga (2015:36), it is compulsory for the MP to render their support to the Zambian Army during military operations. During deployments the MP are required to play the following roles and functions (Kalunga, 2015:36):

1. To render close protection services to senior military personnel during operations.
2. To conduct criminal investigations;
3. To conduct road blocks and search operations;
4. To handle prisoners;
5. To collect and manage criminal evidence;
6. To do general policing duties within operational bases; and
7. To conduct surveillance patrols.

Some of the specific tasks of the MP are the preservation of law and order within the ZDF (Kalunga, 2015:37). They are also responsible to perform traffic control duties at the entry points or gates, and to ensure that military offices, personnel and military installations are protected by providing security. It is the function of the MP to do criminal vetting which is done in cooperation with the civil police during the recruitment of new members who want to join the Defence Force. Furthermore, forensic investigation is also the function of the MP in the ZDF (Kalunga, 2015:37).

#### 2.3.2.3 Zimbabwe Defence Force

The President of Zimbabwe is the Commander-in-Chief of the defence force according to the Constitution of Zimbabwe Amendment (No. 20) Act, 2013, section 89. The Defence Force comprises of the Zimbabwe National Army and the Air-force of Zimbabwe. The main functions of the Zimbabwe Defence Force as stipulated in section 212 of the Constitution are the following:

1. To protect the sovereignty, territorial integrity and the national interests of Zimbabwe;
2. To take part in the creation of peace and stability within the region;
3. To play a role in the maintenance of peace and stability within the international community; and
4. To assist the civil authority where necessary by providing military assistance.

The Constitution of Zimbabwe Amendment (No. 20) Act of 2013, Section 213 (2) states that the Defence Force may be authorised to assist the Police Service in the maintenance of law and order but only when the President agrees to authorise such a deployment. The President has the authority to allow the defence to render its support to civilian authorities in the case of emergency or disasters. When looking at the constitutional role of the Zimbabwean Police Service (ZPS), the constitution states that the police service must conduct its



functions in cooperation with any legitimate intelligence service or any other legitimate body for the purpose of detecting, investigating or preventing particular classes of offences. Bennet ([sa]:16) comments that in the past, the military was deployed internally in Zimbabwe to deal with domestic party politics for a prolonged period.

The Zimbabwe MP (ZMP) form part of the Intelligence Division of the Zimbabwe Army. Its role and responsibilities include the prevention and detection of crime, maintenance of discipline, and the punishment of offenders (Pattke, 2014). The ZMP emanate from the then Rhodesian Corps of Military Police (RCMP) which were officially endorsed on 1 January 1964 and were called the Southern Rhodesian Corps of MP (SRCMP). The renaming of the SRCMP to the ZMP happened on 1 April 1980 after Zimbabwe had obtained its independence (Pattke, 2014).

#### 2.3.2.4 Botswana Defence Force

The primary purpose of any army is to defend and protect the State, including the defence of its territory and safeguarding of its borders and all strategic points (Malebeswa, [sa]:67). Section 5 of the Botswana Defence Force (BDF) Act states that the primary functions of the BDF is the defence of the Republic of Botswana and to perform other tasks as may be required by the President of Botswana. Section 48 of the Constitution of Botswana, 1966 states clearly that the President of Botswana shall be the commander-in-chief of the BDF and all operational use of the defence force will be determined by him.

There are two types of police in Botswana, namely the Botswana Police Force and the Local Police (Audit of Police Oversight in Africa, 2008:11). The Local Police operates in the rural areas with the responsibility of enforcing customary law. Section 6 (1) of the Botswana Police Act 29 of 1978 and the Botswana Police Service Corporate Development Strategy 2009–2016 (2009:12) outline the roles and functions of the BPF as follows: to protect life and property; to prevent and detect crime; to repress internal disturbances; to maintain security

and public tranquillity; to apprehend offenders; to bring offenders to justice; to enforce all written laws; and to maintain peace. The researcher endeavoured to obtain information on the role of the Botswana MP, but it was not readily available.

#### 2.3.2.5 Lesotho Defence Force

Lesotho is a constitutional monarchy and the king is the Head of State (HOS). The executive powers lie with the Prime Minister, who is elected (The Kingdom of Lesotho Country Strategy Paper 2013-2017, 2013:12). The Lesotho Defence Force (LDF) was established in terms of the Constitution of Lesotho section 145 (1). The Memorandum of Understanding (MOU) between the Lesotho Defence Force and the Lesotho Mounted Police Service (LMPS) was endorsed by both parties on the 11<sup>th</sup> of December 2014. It states that in terms of section 5 of the LDF Act (Act No. 4 of 1996), the LDF shall be employed in the defence of Lesotho; in prevention and suppression of terrorism and internal disorder; the maintenance of law and order; and prevention of crime together with other duties as may be deemed necessary by the minister.

The LMPS was established under section 147 (1) of the Constitution of Lesotho (as amended) for the maintenance of law and order in Lesotho. Section 24 of the Lesotho Police Service Act (Act 29 of 1998) provides for the general duties of police officers, which are to preserve peace as well as the maintenance of law and order. The roles and functions are also to prevent all offences against persons and property and to detect offences.

Information on the role and functions of the Lesotho MP is not readily available, (See 1.11). However, according to Mohlobi (2017), an MP army officer was attached to the LMPS to provide assistance with the investigation of the murder of Lieutenant General Khoantile Motšomotšo. This statement implies that there is an MP entity within the Lesotho Defence Force although there is inadequate information on its roles and functions.

### 2.3.2.6 Tanzania People's Defence Force

The Tanzania People's Defence Force (TPDF) was established in terms of section 147 of the Constitution of the United Republic of Tanzania of 1997. Section 148 of the above-mentioned constitution states that the President of the United Republic of Tanzania is the commander-in-chief of all armed forces. Section 33 (2) of the Constitution of the United Republic of Tanzania and the National Defence Act of 1966, Section 4 state that the president shall be the head of state (HOS) and the commander-in-chief of the armed forces in the Republic.

The role of the TPDF, as mentioned in section 147 (2) of the Constitution of the United Republic of Tanzania, is the defence of the territory and the people of Tanzania. In Tanzania, the expression "member of the defence and security forces" refers to any member that is in the services of the defence force, the police force, the prison services or the national service, irrespective of whether they are permanent or temporary members (Constitution of the United Republic of Tanzania 1997, section 147 (4)).

The functions of the police force as stated in section 5 (1) of the Police Force and Auxiliary Services Act of 2002, Chapter 322 are the preservation of peace, the maintenance of law and order, the prevention and detection of crime, the apprehension and guarding of offenders and the protection of property. Tibasana ([sa]:168) asserts that the Police General Orders (PGO) endorsed by the Inspector-General (IG), give the Criminal Investigation Department (CID) the responsibility to perform crime prevention duties in Tanzania. The responsibility of the Tanzanian police is to prevent crime as authorised by law and the CID is also authorised to perform crime prevention functions within Tanzania.

The TPDF does have an MP component but information on its role and functions could not be found online and not even through their embassy (See 1.11). Moreover, between 15 August and 2 September 2011 both TPDF and

the United States defence force members shared their MP expertise on various areas such as crime scene management, vehicle searches, riot control, how to control entry point during operations and many more (Lawrence, 2011). This implies that the TPDF does have an MP component however, its information is not well documented.

#### 2.3.2.7 Namibian Defence Force

Section 2 of the Namibian Defence Act, 2002 states that the Namibian Defence Force (NMDF) consists of the following arms of service: the Namibian Army, the Namibian Air Force and the Namibian Navy. The Constitution of the Republic of Namibia Act of 1998, Article 118 states that the president is the commander-in-chief of the Namibian Defence Force. The Republic of Namibia Ministry of Defence Document ([sa]:32) and Namibian Defence Force Journal (2013) state that the primary role of the NMDF as mentioned in the Constitution of the Republic, Chapter 15, Article 118 is to defend the territorial integrity of Namibia. Its secondary role is to assist the local authorities during domestic operations and as the need arises, to assist in SADC, African Union (AU) and United Nations operations.

The Namibian Defence Force has a law enforcement division in the form of the MPs. According to the NMDF Act of 2002, Section 197, the role and functions of the MPs are the maintenance of law and order, the investigation of any offence or alleged offence and the prevention of crime within their jurisdiction.

#### 2.3.2.8 The Armed Forces of the Democratic Republic of the Congo

The President of the DRC is the commander-in-chief of all the Armed Forces of the Democratic Republic of Congo (FARDC), according to article 83 of the Constitution of the DRC of 2005. The armed forces of the DRC consist of land forces, air force, naval force and their various assistance services (Article 187 of the Constitution of the DRC). The Constitution further mentions that the

mission of the armed forces is the defence of the territorial integrity and the safeguarding of the borders of the republic.

The Police Nationale Congolaise (PNC) of the DRC are responsible for the maintenance of public security, the security of all citizens and the maintenance of public order and above all, the protection of all higher authorities within the republic (Article 182 of the Constitution of DRC of 2005). The crime prevention responsibilities rest with the PNC, since the armed forces are only authorised to defend the country. The PNC is authorised to perform law and order functions. Information on the DRC defence force is scarce, and this has been one of the limitations of the study. The DRC police force is divided into two, namely: the administrative and the legal branch. Furthermore, it has five police structures within itself, namely (African Policing Civilian Oversight Forum, 2018):

1. The Superior Council,
2. The General Commissionership,
3. The Inspectorate General,
4. The Provincial Police stations, and
5. The Territorial and local units.

Most of the countries within the SADC region operate in a similar fashion, namely that the police handle crime prevention, crime investigation and the maintenance of law and order. The duty of the respective defence forces is the protection of the sovereignty of their respective countries and their territorial integrity. The researcher was part of the SA delegation that was sent to the DRC in 2011 under Mission Thebe. He was responsible for the training of the FARDC MP. However, it is not easy to find information about them since the country has been war- torn for many years; hence a SACMP doctrine was used during training.

### 2.3.2.9 Angolan Armed Forces

The Angolan Armed Forces (FAA) was formed after the amalgamation of the three main liberation movements being the Popular Movement for the Liberation of Angola (MPLA), the National Front for the Liberation of Angola (FNLA) and the National Union for the Total Independence of Angola (UNITA). These movements were instrumental in fighting the Portuguese (Leão & Rupiya, 2005:7). The President of the Republic shall be the Commander-in-Chief of the Angolan Armed Forces according to Article 108 of the Constitution of the Republic of Angola of 2010.

It is the responsibility of the Armed Forces of Angola to maintain the external, internal and the domestic security within the Republic (Global Security, 2018). This includes expulsion of irregular immigrants and small-scale actions against the Front for the Liberation of Enclave of Cabinda (FLEC) separatists in Cabinda and border security (Global Security, 2018). The FAA consists of the Angolan Army, Navy and the Air Force. Article 209 of the Constitution of the Republic of Angola of 2010 states that the main objectives of the Angolan Armed Forces are to ensure public peace and security, to protect institutions and citizens and their property, to protect the basic right and freedom of all citizens against organised crime and any other kind of threats. This must be done by paying stringent observation of the Constitutional rights and laws, including any international conventions to which the Republic of Angola may be a party to.

The Angola National Police Force (ANPF) comprises of various specialised components such as the following: the National Investigation Directorate, Fiscal Police, Border Control Police, National Economic Investigation Directorate, National Road Traffic Directorate, Protection Unit, National Crime Investigation Directorate, Special Weapons and Tactics Police, and the Weapons and Explosives (African Policing Civilian Oversight Forum, 2018). The ANPF Police Force is semi-military and it falls directly under the Interior Ministry. The roles

of the police are, amongst others, the prevention, detection and investigation of crime (African Policing Civilian Oversight Forum, 2018):

Within the FAA, there is an entity called the MP and their role, amongst other things, is to provide protection at all strategic points and also to work in cooperation with the National Police in fighting crime and any act of violence (Agência Angola Press, 2016). The MP further provide safety of citizens at major events including political ones within Angola. However, a certain human rights group advised the Angolan authorities to launch an investigation to determine the circumstances that led to the death of a 14 year old boy who was allegedly shot in Luanda during a peaceful protest (Frey, 2016). One protester said the MP got impatient because of the number of protesters who were waiting for them, so they loaded their guns and began firing on their feet and then ran away, fearing for their lives.

The government's decision to deploy the MPs was criticised strongly by human rights organisations because they (MP) use live ammunition to disperse crowds. The unnecessary use of deadly force by the MP raised critical concern about the behaviour of the security forces in Angola. The human rights organisation pleaded with the Angolan government to guard against the violation of international standards and also to relook the employment of soldiers and MP during protests. The human rights organisation further said that soldiers are specifically trained to utilise guns rather than any other method to curb protests (Frey, 2016).

#### 2.3.2.10 Malawi Defence Force

The Malawi Defence Force (MDF) was established in terms of Section 159 of The Constitution of the Republic of Malawi of 2010 (as amended). Section 78 of the Constitution of The Republic of Malawi states that the Commander-in-Chief of the MDF shall be the President of the Republic. The major role of the MDF, according to Section 159 (a), is the defence of the sovereignty and the territorial integrity of The Republic of Malawi. It is also to be on the lookout for

any threats that may be detrimental to the safety of all citizens of the Republic. They are also allowed to use arms to repel such threats.

The Malawi Police Service (MPS) was established in terms of Section 152 of the Constitution of The Republic of Malawi of 2010 (as amended). The functions and roles of the MPS are to ensure the safety and protection of all the citizens of Malawi. It is also to protect the Constitutional rights of all citizens as prescribed by law. According to the African Policing Civilian Oversight Forum (2018), the MPS is under the command of the Ministry of Internal Affairs and Public Security. Section 154(1) of the Constitution of the Republic of Malawi further states that an Inspector General (IG) shall be appointed as the head of the MPS who shall be directly accountable to the Minister of Police. The IG shall have two deputies who will be in charge of the administration of the police affairs. The Malawi Government (2013) further simplifies the functions of the MPS as follows:

1. Prevention, investigation and detection of crime,
2. Apprehension and prosecution of offenders,
3. Maintenance of law and order,
4. Protection of property, life, fundamental freedoms and rights of individuals,
5. Enforcement of all laws and regulations under which they are directly charged.

Within the MDF, there is a unit called the MP which forms part of the regular force. According to Section 194(a) of the MDF Act (Act No. 11 of 2004), the Provost Marshal shall be the person in charge of the MP unit and responsible for the enforcement of discipline within the entire defence force. Members of the MP unit are obliged to take an oath of allegiance before they can become complete members of the unit (Section 193(2) of the MDF Act). The roles and functions of the MP are the maintenance of military discipline, to provide security and to ensure the protection of all public formations and other public properties that belong to the defence force against fire and damage (Section



193(3) of the MDF Act). Moreover, the MP unit members shall enjoy the same powers as their counterparts the civilian police, but only when they are discharging their functions under this Act (Section 193(4) of the MDF Act).

## **2.4 CRIME PREVENTION ROLE OF THE MILITARY POLICE IN SELECTED AFRICAN DEFENCE FORCES BEYOND THE SADC REGION**

There are 54 countries on the African continent according to the African Economic Outlook: overview 2015 (2015:i). Of those, 16 are member states of the SADC. The above section evaluated countries that are member states of the SADC. This section examines three countries that are not part of SADC with emphasis on the crime prevention role of the MP in the respective defence forces. These countries are the Republic of Uganda, Kenya and the Federal Republic of Nigeria.

### **2.4.1 Uganda People's Defence Force**

The Uganda People's Defence Force (UPDF) was established in terms of section 208 of the Constitution of the Republic of Uganda of 1995. The UPDF comprises of land forces, air forces and any other service prescribed by parliament according to section 3 (2) of the UPDF Act of 2005. Section 209 of the Constitution of the Republic of Uganda mentions that the functions of the UPDF are to:

1. Preserve and defend the sovereignty and territorial integrity of Uganda;
2. Cooperate with civilian authority in emergency situations and in cases of natural disasters;
3. Foster harmony and understanding between the defence forces and civilians; and
4. Engage in productive activities for the development of Uganda.

The Uganda Police Force (UPF) was also established in accordance with the Constitution of the Republic of Uganda of 1995, Section 212. The functions of the UPDF are to:

1. Protect life and property;
2. Preserve law and order;
3. Prevent and detect crime; and
4. Cooperate with the civilian authority and other security organs established under the Constitution and with the population generally.

There is a crime prevention element within the UPDF called the Uganda People's Defence Force Military Police (UPDFMP). The roles of the UPDFMP within the UPDF include, but are not limited to furnishing manpower to protect national key points and providing support to other security agencies such as the UPF in the maintenance of law and order but only when they are asked through the right channel. Moreover, the UPDFMP's major role within the UPDF is the maintenance of discipline (Karemire, 2017). The interesting part is that both members of the UPF and UPDF are authorised by section 161(2) of the Defence Act of 2005 to arrest any member without a warrant if they suspect such of having committed a crime.

#### **2.4.2 Kenya Defence Force**

The Kenya Defence Force (KDF) was established in terms of Section 241 of the Constitution of Kenya 2010 and it consists of the Kenya army, Kenya air force and the Kenya navy. According to section 241 (1), the President of Kenya is the commander-in-chief of the Kenya Defence Forces and this statement is also mentioned in the KDF Act (Act No. 25 of 2012). The role of the KDF is the defence and protection of the sovereignty and territorial integrity of the republic. They can also assist and cooperate with other authorities in the case of disasters and may also be deployed to restore peace in any part of Kenya, but

only with the approval of the National Assembly (Constitution of Kenya 2010, Sec 241 (3); Kenya Defence Forces Act (Act No. 25 of 2012).

The Kenya National Police Service (KNPS) was established in terms of section 243 (1) of the Constitution of Kenya 2010. There are two distinct police branches in Kenya, namely the KNPS and the Administration Police. The functions of the KNPS as mentioned in the KNPS Act (Act No. 11A of 2011) are among other things the prevention and detection of crime, the investigation of crime, protection of life and property and the collection of criminal intelligence. Within the KDF, there is an MP Corps responsible for the prevention of crime in the defence force.

According to Owuor (2012:5), the MP Corps in Kenya provides good policing support services to the KDF to ensure the defence of the nation against any external aggression as its primary role. The secondary role entails the furnishing of support to the civil authority in the preservation of law and order in Kenya, and they also take part in national ceremonial functions. Moreover, any member of the MP may arrest any person who is accountable to this act (the KDF Act, Act 25 of 2012) and suspected to have committed an offence (Section 137 of the KDF Act, Act 25 of 2012).

The MP in Kenya are also called the “*kofia nyekundu*” in Kiswahili which means the “red hat” according to the Situation Room (2016). These are the men and women who are authorised to maintain law and order within the KDF (Situation Room, 2016). They are also empowered to arrest misbehaving or mischievous members of the KDF, regardless of their ranks. This is to ensure that all the stipulated laws, rules and regulations are adhered to by all members of the KDF. Other roles played by the MP Corps include traffic control and to perform infantry unit tasks (Situation Room, 2016). A Director of Military Prosecutions who is appointed under the Defence Act has the authority to instruct any member of the MP to conduct an investigation pertaining to alleged criminal conduct (Section 213(3)(a) of the KDF Act, Act 25 of 2012).

### **2.4.3 Nigeria Armed Forces**

The Nigeria Armed Forces (NAF) were established in terms of Section 217 (1) of the Constitution of the Federal Republic of Nigeria of 1999. The key roles of the NAF are among other things to defend the Republic of Nigeria against any external aggression, the maintenance of the Nigerian territorial integrity and safeguarding its borders from any transgressors who may approach either from land, sea or air (section 217 (1) of the Constitution of the Federal Republic of Nigeria and section 1 of the Nigeria Armed Forces Act of 1994). The Nigerian armed forces consist of the Nigerian army, navy and the air force (section 1 of the NAF Act, 1994).

The President of the Federal Republic of Nigeria is the commander-in-chief of the armed forces. He determines the operational use of the armed forces according to section 218 (1) of the Constitution of the Federal Republic of Nigeria of 1999. The armed forces' counterpart, the Nigeria Police Force (NPF), was established in terms of section 214 (1) of the Constitution of the Federal Republic of Nigeria of 1999. The NPF has the responsibility of preventing crime, arrest offenders and to prosecute criminals (Babalola, 2015:129; Section 4 of the Nigeria Police Act of 2004). Babalola (2015:131) and Joshi (2007:13) assert that the NPF can be utilised to perform military duties, whether within or outside the Republic of Nigeria.

Within the Nigeria Armed Forces, there is an entity called the Nigerian Military Police (NMP). The roles of the NMP are the following, according to Media Nigeria (2018):

1. The containment of all laws and regulations;
2. The detection and prevention of crime;
3. The arresting of offenders;
4. The protection of both life and property; and
5. The maintenance of law and order.

The NMP have a direct crime prevention role within the Nigeria Armed Forces and moreover, they play a crucial role in the detection of crime as well. They also have the powers to arrest offenders, however it is not clear whether only within the defence force or including civilians.

Almost all the defence forces in both BRICS and SADC countries do have MP components within their respective defence forces. The roles of the MP within these defence forces are almost the same, with the exception of Brazil. The roles of the MP in general are the prevention of crime, the investigation of offences within the defence force and to maintain discipline (The Military Police Corps, 2018). The MP further play a crucial role during war time to perform traffic control duties and to handle prisoners of war (The Military Police Corps, 2018). The researcher could not discuss all the countries in the SADC because information on their respective MPs was not readily available; hence he discussed only ten of the 16 countries.

It is cumbersome to maintain discipline within a defence force without the MP who are trained in that regard. The MP also play a pivotal role in ceremonial functions taking place within the defence force. Moreover, crime would escalate uncontrollably without the MP. The researcher could not find adequate information on the roles and functions of the MP within countries such as Swaziland, Botswana, Zambia and the DRC. However, the researcher had been deployed under the UN as part of the peace-keeping mission in the DRC on a number of occasions (2004 to 2005 & 2005 to 2006) where he worked together with MP Officers from Zambia and the DRC. Information on the Zambian MP is not readily available. Moreover, the MP in general are not well documented, maybe because they are a small entity within a particular defence force.

The defence force of Swaziland is fairly small and no information on the role of its MP could be found. However, the statement by Magagula (2011) that Swaziland country does not need a defence force, but has to establish a MP unit, suggests that this country does not have any MP elements within its ranks.

It is therefore not clear how they deal with issues of crime and the prevention thereof within their defence force.

What can be learnt from the MP from the BRICS and SADC defence forces is that the MP must operate within their respective defence forces. They must prevent crime and provide policing capabilities only in their defence forces instead of being used in civilian life as well. This is crucial if one considers what transpired in Brazil where MPOs were criticised for using maximum force when conducting crime prevention activities and operations. Moreover, MPOs are trained soldiers who do not have the capability to maintain law and order outside their jurisdiction.

## **2.5 SUMMARY**

In this section both BRICS and SADC countries, except SA, were discussed with an emphasis on the role of their respective MP within their defence forces. The BRICS countries that were discussed are: Brazil, Russia, India and China. The SADC countries discussed in this section are: Swaziland, Zambia, Zimbabwe, Botswana, Lesotho, Tanzania, Namibia, DRC, Angola and Malawi. Three countries which are not members of SADC, namely Uganda, Kenya and Nigeria were also discussed.

Most of MP in the defence forces that were discussed operate in a similar manner when dealing with crime, with the exception of the Brazilian MP. The Brazilian MP are mandated to perform a crime prevention role as part of their daily tasks. They patrol the streets of Brazil to ensure that there is peace and stability. However, they have been accused and criticised for using deadly force when called to quell any volatile situation.

## **CHAPTER 3: THE RELEVANCE OF GENERAL CRIME PREVENTION FORMS AND MODELS IN DEFENCE FORCES**

### **3.1 INTRODUCTION**

The adoption and utilisation of crime prevention models is crucial as part of the effective development of crime prevention plans. Recent research has revealed that the independent utilisation of crime prevention models and community safety initiatives will most likely not produce any success as compared to a combination of models. Crime prevention as a strategy for governments is not a new phenomenon. It has long been agreed that one of the most effective ways of reducing the overall levels of crime is through the implementation of strategies or programmes aimed at preventing the incidence of crime.

According to the Integrated Social Crime Prevention Strategy (ISCPS) of 2011 (2011:20), government departments in SA have a major role to play in breaking the cycle of crime and violence through their intervention. Moreover, community partnerships, the government and other industries are also pivotal to the provision of crime prevention in either a situational or social approach (New South Wales Police Force Crime Prevention Strategy 2015-2017, 2014:3)

This chapter addresses the various crime prevention models, namely situational crime prevention (SCP), crime prevention through environmental design (CPTED), social crime prevention and the effective criminal justice system. The relevance of these crime prevention models for the MP are also addressed.

### **3.2 CRIME PREVENTION MODELS**

There are four key models of crime prevention that each utilises different approaches to prevent crime. They do not yield similar results, since some methods bring quick results while others may take a while before results are seen (Clancy, [sa]:1). In other words, these four models have varying strengths

and weaknesses, but they work best when combined. The four models of crime prevention are situational crime prevention, crime prevention through environmental design (CPTED), social crime prevention and effective criminal justice crime prevention (Clancey, 2011:14 & Community Crime Prevention and Safety Plan, [sa]:8).

### **3.2.1 Situational crime prevention (SCP)**

According to Komiya (2011:132), situational Crime Prevention makes it more difficult for offenders to commit crime by designing an environment in a permanent and systematic way to make it riskier to commit a crime. Komiya (2011:132) and Patel (2013:6) both state that SCP is about changing the design of an environment in such a way that it makes it difficult for people to commit crime and the rewards for committing crime are decreased. The point of departure is to see everything from an offender's point of view.

SCP is about understanding and ensuring that ordinary citizens are aware of the opportunities that give rise to crime and helping them devise means of removing such opportunities or making them difficult to be recognised (Sutton et al., 2014:56). Basically, the aim of SCP is to solidify community relationships, to boost the levels of informal social control to prevent potential offences. Furthermore, SCP pays attention to people who are at the verge of offending by making them feel more integrated within a community (Helpful Crime Prevention Facts, 2013:10).

Crime prevention did not start as a policing approach, but rather as a scientific approach aimed at reducing crime by creating safer environments through design. Through this approach, crime prevention could move away from just being an approach that prevents offences through punishment and rehabilitation, to an approach that convinces offenders that crime does not pay and that it is not worthwhile (Plant & Scott, 2009:33 & Clancey, [sa]:1). SCP believes in the underlying assumption that crime is often opportunistic. It also seeks to decrease the chances that offenders become involved in criminal



behaviour. Target hardening and removal is one measure that helps to reduce crime, although it is effective only with some forms of crime, for example: installation of burglar proof to make it harder to break into a house (National Crime Prevention and Community Safety Strategy, 2010:12). Target hardening by means of locks and bolts is not a new phenomenon since land owners in medieval Britain used drawbridges and moats on the walls of their castles to protect them (Phillips, 2011:7). Target hardening may include the following (Implementation of Sector Policing, 2015:78):

1. Surveillance
2. Security fences
3. Alarm systems
4. Security lights
5. Burglar guards
6. Deployment of security guards

SCP, as defined in the White Paper on Safety and Security of 1998 (1998), includes all efforts aimed at reducing the social, economic and environmental factors suitable for certain types of crimes. The White Paper on the Police and the White Paper on Safety and Security 2015 (2015:9) state that it is important for the police to remain cautious regarding their part in the prevention of crime and the encouragement of safer communities. Furthermore, the 2015 White Paper on the Police stresses the necessity for an integrated view that understands that for crime to happen there are many factors that play a role, such as historical, social and economic factors.

The 1998 White Paper on Safety and Security (1998) also views the approach of safety and security from the vantage point of two comprehensively intertwined components, namely the police and law enforcement. The second component is that of crime prevention, which pays more attention to SCP with the understanding that it best addresses the major causes of crime.

The House of Commons Home Affairs Committee (2010:53) states that SCP is also aimed at reducing opportunities for the commission of a crime. It also emphasises the management and design of an environment so that the effort necessary to commit a crime is increased, in other words it becomes very difficult to commit a crime in that environment. SCP for instance advises that all things that may be tempting to an offender be placed out of sight as far as possible (House of Commons, Home Affairs Committee, 2010:53). Furthermore, an interesting factor is that SCP does not take long to implement and it yields immediate results.

There are five SCP techniques as identified by Linden (2007:149), and these techniques are the following:

1. Target hardening or access control makes the tools required to commit a crime more and increases the effort needed to commit a crime;
2. Adding more levels of both formal and informal surveillance and guardianship increases the risks of committing crime, thus making it difficult to commit crime. The Guidelines for Queensland (2007:46) states that there are three types of surveillance: the informal (example: casual observers), organised (example: trained security guards and other trained personnel) and mechanical surveillance (example: security cameras);
3. Rewards for committing crime are decreased through the identification of properties to facilitate recovery by ensuring that targets are eliminated and thus denying any crime benefits;
4. Peer pressure is controlled through the reduction of provocations, frustrations and conflicts; and
5. Clear rules and administration are set to eliminate any excuses.

In reducing people's chances to commit crimes, SCP also addresses all the "hotspots" and the factors that make them hotspots (Attorney General and Justice, 2011:1). It also focuses on the characteristics that contribute to the vulnerability of victims of crime. SCP addresses technical objectives such as urban planning in ensuring public safety and restricts any factors that can engender the commission of crime (Czech Republic Crime Prevention Strategy, 2008–2011, 2008:3). Linden (2007:141) asserts that situational prevention is an approach that mainly focuses on criminal events, even if there are those offenders that are motivated to commit a crime. Increasing the surveillance of potential targets can help to decrease crime rates (Linden, 2007:141).

Welsh and Farrington (2010:23) further add that the situational approach is also sustained by theories that assert natural informal surveillance as a major contributor to crime prevention. An example here is the improvement of street lighting, which may increase street usage, which in turn adds to natural surveillance. Andresen and Felson ([sa]:3) are of the understanding that situational prevention is "non-social" or "anti-social". They view situational prevention as a set of methods that are tailor-made to reduce opportunities that give rise to crime and to reduce offender convergences and dismantle hangouts that might set a platform for co-offending.

Siegel (2011:92) mentions that SCP includes the establishment of strategies aimed at decreasing a specific crime problem within a specific area, such as street-level drug dealing. Siegel (2011:92) further adds that criminal acts are prevented by:

1. Careful guarding of potential targets;
2. Controlling the means to commit crime; and
3. Careful monitoring of potential offenders.

The role that the private sector plays in developing situational prevention techniques has helped private entities to work out programmes that help them to prevent losses (Linden, 2007:154). The situational prevention model has

been criticised as an approach that does not succeed in preventing crime, but that merely displaces crime (Wortley, 2010:3). This is because it does not focus on the disposition of offenders. If prevented in one criminal activity, they move to other opportunities (Wortley, 2010:3). Bajpai ([sa]:6) believes that the main objective of situational prevention is to change the way offenders think and to try to influence their decision making when it comes to the commission of crime by a particular design.

There are nine main points of situational crime prevention as identified by Cornish and Clarke ([sa]:200). They are the following:

1. SCP is practical rather than utopian and focuses on preventing crime instantly by looking at specific areas and situations. SCP resorts to cheaper ways of reducing crime, and this is done in three general ways: the design of safe settings, organisation of safe procedures and the development of secure products.
2. SCP reduces the opportunities for crime by ensuring that all crime targets become less rewarding, while escalating the risk and effort attributed with crime.
3. Crime displacement to some other places is not a characteristic of SCP. However, crime prevention results in the dispersion of crime benefits, decreasing crime even beyond the immediate setting.
4. SCP has had some successes in dealing with property crime, including dealing with vandalism on double-deck buses, correcting criminal use of telephones, preventing car and motorcycle theft, reducing retail theft, refusing to accept subway graffiti, as well as preventing fraud and the sale of stolen goods.
5. Other effective examples of SCP are the effective usage of lighting and the control of music strategies, although

these measures should be applied in a considerate, convenient and advantageous manner.

6. Effecting changes to the settings, procedures and products that escalate crime opportunities can either improve or worsen a crime situation.
7. Minimising violence at spectator sports events, addressing cruising, controlling bar hopping and bar challenges and the subsequent prevention of drunk driving are some of the specific examples of successful SCP.
8. SCP techniques are used to address a new type of crime, namely identity theft, and this is done on both small and large scales.
9. The benefits of addressing repeat crimes include adequately decreasing crime at low cost; circumventing the normal political controversies; assisting the worst affected victims; and assisting everyone to think more clearly about crime.

There are seven misconceptions about situational crime prevention. Clarke rebuts these misconceptions in Homel (2005:40).

Criticism	Rebuttal
It is simplistic and theoretical.	It is based on three crime opportunity theories: routine activity, crime pattern and rational choice. It also picks up on social psychology.
It has not been illustrated to yield positive results, but rather displaces crime and often makes it worse.	Numerous case studies revealed that it can decrease the levels of crime, normally with little displacement.
It shifts focus from the root causes of crime.	Crime reduction is achieved immediately and thus benefits the entire society.
It is a traditional and primitive managerial approach to crime.	It gives assurance based on what it can deliver. It also desires that solutions be profitable and socially acceptable.

It promotes a selfish, exclusionary society.	It doesn't discriminate because it gives the same protection to both the rich and poor members of the society.
It promotes Big Brother (watches every move twenty-four-seven) and restricts personal freedoms.	The society is democratically protected against these dangers. People are willing to allow uneasiness and a little transgression of their freedom as long as they are protected from crime.
The victim is blamed.	SCP promotes victim empowerment by giving them valuable information about crime, risks associated with crime and how to circumvent them.

Table 3.1: The seven misconceptions of situational crime prevention (Homel, 2005:40).

SCP methods that were employed in Canada produced some significant successes. However, its impact was limited due to the fact that communities were not well conversant with the methods and lacked the expertise to fully implement the programmes (Linden, 2007:155). Linden (2007:148) further adds that the success of situational crime prevention strategies requires a comprehensive analysis and understanding of the crime and its social background. This analysis can assist in determining the best prevention strategies. The SAPS Crime Prevention Unit has been the main role player through the various provincial Departments of Community Safety. Most departments within the RSA do have direct connections to the SCP and other programmes that help to bring about the achievement of SCP main goals (ISCPS of 2011, 2011:22).

#### 3.2.1.1 Neighbourhood watch

It takes responsible citizens and good leadership to establish a safe neighbourhood that is able to assist the police in fighting crime. This statement is emphasised in the Crime Prevention in Ontario: a framework for action ([sa]:24). Bain (2014) mentions that the police are there to support the

community, but it is up to the community to take a leading role in the fight against crime by being responsible and accountable for their own safety and security. Therefore, neighbourhood watch is another way in which community members can prevent crime. Schneider (2010:153) defines neighbourhood watch as a crime prevention approach that represents the community defence model.

Residents are encouraged to be more cautious in watching each other's homes or their block of apartments and to report any suspicious movements to other people and the police. Neighbourhood watch is a system that stresses the significance of community awareness and encourages the community to take a proactive role in preventing and solving crime (Implementation of Sector Policing, 2015:78).

The main aim and objectives of a neighbourhood watch as stated in the Western Cape Provincial Constitution and Code of Conduct for neighbourhood watch ([sa]:8) are :

1. Creating a sense of unity, dedication and good neighbourly relations among the residents of that particular area; and
2. The local communities can play a crucial role in preventing crime and therefore the neighbourhood watch provides community members with that platform.

Fennelly (2012:130) states ten secrets of neighbourhood watch that can be used to enhance its effectiveness:

1. **Awareness and knowledge strategies are number one**  
– the community is informed about the role that neighbourhood watch plays in preventing crime and the role that community members can play.

2. **Communication** – there are many forms of transmitting messages these days, such as using modern technology like twitter, face-book, cell phones, YouTube, brochures and community newspapers. Verbal communication can also play a pivotal role as a means of communication.
3. **Knowledge** – knowledge can be passed on to the community through public awareness campaigns, since these campaigns open the doors to citizens' voluntary participation. The campaigns aim to make citizens aware of all the measures that are in place to prevent crime, such as target hardening and the significance of more patrols.
4. **Watchers can reduce crime** – the community plays a crucial role by being the eyes and ears for law enforcement and this subsequently reduces any opportunity of committing crime.
5. **Avoiding injuries** – watchers should be trained to be more vigilant to avoid injuries while doing their duties. If confronted by any danger they can either scream to attract the attention of others or they can carry whistles to blow, should the need arise.
6. **The community** – neighbourhood watch is called different names, such as office watch, business watch or any other name, but the *modus operandi* remains the same.
7. **Involvement** – the involvement of community members in fighting crime is a crucial step towards decreasing crime. Furthermore, the partnership between the police, community and street vendors can go a long way in



decreasing crime and therefore community members must be encouraged to become involved.

8. **Education of the watchers** – watchers must be educated about residential burglary; small business owners must be educated about how they should confront a robber or shoplifter and about the importance of lights, locks, cameras, alarms, and how to become “street smart”.
9. **Crime characteristics** – neighbourhoods are unique and therefore it is important to treat each neighbourhood different from others. It is also crucial to get to know the neighbourhood characteristics so that it becomes easier to help those who may be willing to get involved in neighbourhood watch. This provides an opportunity for other individuals to provide crime risk management to the community and for the citizen group. Each citizen has a role to play in reducing crime, whether it is assault, purse snatching, fraud or crime against women and children.
10. **Neighbourhood watch guidelines** – it is the duty of the citizens to alert the police as soon as they see any suspicious activity within the community. Suspicious activities can be one of the following: a stranger entering a neighbour's house or property; hearing a scream for help; strangers selling merchandise out of their truck; the sound of breaking glass; seeing the same car driving around the neighbourhood in circles; and individuals lingering or hanging around, serving as lookouts.

Schneider (2010:153) and Hollin (2013:390) add that neighbourhood watch is also called home watch, apartment watch, community watch or block watch, but the fact is that residents are grouped and trained so that they are able to

watch their own surroundings on a daily basis. A neighbourhood watch programme can also be defined as a collective of people living in the same neighbourhood who converge for the same goal, namely the creation of a free and safe environment, to raise the quality of life and to decrease the levels of crime (Neighbourhood Watch Manual, [sa]:1).

Bain (2014) suggests that in order to build and enhance security and quality of life, each citizen must know their neighbours and be familiar with their neighbourhoods. It is also important to leave a set of keys with a neighbour that they trust when going away. Bain (2014) further mentions that the surroundings must be kept clean and tidy because clean neighbourhoods are not attractive to criminals. Community members have to get involved in programmes such as neighbourhood watch since it links concerned citizens and the police to reduce crime (Bain, 2014).

There are plenty of other ways that members of neighbourhood watch can promote crime prevention within their community, such as encouraging property marking, keeping the neighbourhood clean and tidy and keeping parents informed of their children's misbehaving practices. The neighbourhood watch programme is the most recognised crime prevention initiative in North America. It is driven by community members with the support of the local police (Fantino, [sa]). The community plays a pivotal role in supplying the police with valuable information about crime in the area (Operationalisation of Sector Policing, 2015:79).

Neighbourhood watch is meant to decrease the levels of crime with residents of a neighbourhood staying on the lookout for any activities that may be suspicious and reporting them to the police (Bennett, Holloway & Farrington, 2008:3). Neighbourhood watch also serves as a feeder of information related to crime to the police and it decreases opportunities that may give rise to crime (Bennett et al., 2008:3).

According to Dowton (2014), the functions of neighbourhood watch are to prevent crime by brushing up on security measures and escalating vigilance. Other functions are to work closely with the police by helping them to detect and report crime promptly. This includes any suspicious activities in the communities. Furthermore, where there is an effective neighbourhood watch, communication between the police and the community improves drastically (Dowton, 2014).

#### 3.2.1.2 Private security

Another way of preventing crime is the use of private security personnel to man buildings and to ensure proper access control. According to Coester, Marks and Meyer (2008:19), private security plays a major role in today's society. Knowledge of situational prevention has significantly improved over the last few years, which could mean that the technical protection private security offers could be even more advanced (Coester et al., 2008:19). The public has since realised that there is very little that the police can provide in terms of crime prevention, therefore they are becoming more and more reliant on private security for protection.

This has caused private security companies to be ahead of the police with regard to crime prevention (Coester et al., 2008:19). According to a statement published on News 24 on 20 January 2012, both home and business owners prefer armed response services provided by private security companies instead of the police (Anon, 2012b). Private security is defined as those entities that provide security for specific clientele at a fee. Some are self-employed and privately funded business entities (Fischer, Halibozek & Walters, 2013:20). Some of these entities are employed privately to protect other people's lives, properties and complexes. Worrall and Schmallegger (2013:51) say that private security services play a crucial role in crime prevention and community safety instead of detection and arrest. The State Regulations Concerning Civilian Private Security Services Handbook (2014:5) used the criteria identified in the

Abu Dhabi preliminary recommendations to describe civilian security services as:

1. The objective of civilian private security services is to provide security-related services such as the protection of property, events, and locations.
2. Civilian private security services provide services at a fee and they are legal.
3. Civilian private security services are not public services, but are privately owned and include commercial firms and non-profit organisations and individuals.
4. Civilian private security services are regulated and accredited in accordance with the laws of a particular country, and moreover, they are monitored and supervised by the State.
5. Private companies may support the police in public law enforcement where they may be permitted, but their role is mainly crime prevention.

Considering the high levels of crime in Nigeria, residents started hiring private security systems to protect themselves, their families and property. Many Nigerians regarded private security as a foreign concept until they were engulfed by crime, but not many people can afford to install the system (Karimu, 2014:82).

Worrall and Schmalleger (2013:50) state that in some countries, private police in the form of guards protect business areas and residential areas. There are so many that they outnumber the State police. Van der Spuy and Röntsch (2008:56) say that in a country like SA where crime rates are high, it cannot be

expected that the police fight crime alone as they should not be expected to do more than visible policing. They further posit that it is important for communities to take initiative to protect themselves and their properties and such initiatives should include acquiring the services of private security companies and neighbourhood watch (Van der Spuy & Röntsch, 2008:56).

The State Regulations Concerning Civilian Private Security Services Handbook (2014:14) mentions that several communities have decided to form associations with private security companies to improve the safety of their neighbourhoods. This initiative led to private security companies being contracted to improve the safety of an area. An example here is the State of São Paulo, where the MP, being an entity entrusted to fight crime in Brazil, partnered with private security companies in charge of protecting the area of *Parque do Principes*. The police praised the role played by the private companies in supporting them (police) by providing important information and assisting them with police investigations (The State Regulations Concerning Civilian Private Security Services Handbook, 2014:14).

Controlling access and deflecting offenders are two situational techniques that have been criticised because they are seen as promoting the exclusion of people who have no right of entry into private facilities such as offices or factories (Homel, 2005:60). The technique keeps groups of “unwanted” from private facilities, but not from places such as public municipal gardens and malls. This is because situational prevention assumes that anybody is somehow capable of exploiting opportunities for crime in these places (Homel, 2005:60). Private places are most often protected by private security, but recently there has been a growing trend where private security is seen protecting public places (Sklansky, 2006 as cited in Welsh & Farrington, 2009:121).

### **3.2.2 The relevance of situational crime prevention for the military police**

The transformation within the MP environment necessitates the adoption of community policing by the MPD, which is a phenomenon that was associated with the SAPS for many years. Furthermore, community policing ensures that the MP is more accessible, efficient and effective in their quest to prevent crime within their area of responsibility (Military Police Division Instruction (MPDI) 18/00, 2014:1). Fennelly (2012:126) defines community policing as an ideology that encourages the use of partnerships and various problem-solving techniques to deal with the immediate situations that endanger public safety matters like crime, social disorder and the fear that crime instils in the community in a proactive manner.

The MPD has also played a crucial role in the upgrading of security measures in the Finance Management Division's offices and satellite offices, both in SA and in the deployment areas such as the DRC and Sudan (DOD Annual Report FY2010/11, 2011:92). Moreover, as part of its policing role; the MPD conducts a variety of patrols as part of crime prevention within their areas of responsibility. They use five patrolling strategies (MPDI 12/00, 2014:12), namely: routine or general patrols, selective or specialised patrols, saturation patrols, sporadic patrols, and call-out patrols.

The most crucial fact when doing patrols is that those on patrol must be able to prevent crime and reduce any opportunity that could give rise to crime. Patrols must also be able to help in identifying potential problems and crime hotspots (Implementation of Sector Policing, 2015:79). The random patrol of a specific geographical location by the MP is called routine patrols. An example is when MPOs decide to patrol certain areas without being summoned or called out per complaint. Routine patrols are aimed at preventing any potential criminals from committing crime through the visibility of MPOs on patrol or by creating an impression that MPOs are all over doing patrols. These patrols are sometimes conducted by MPOs in civilian clothes to avoid being detected by criminals (MPDI 12/00, 2014:12).

MP personnel are deployed within a particular area after a certain crime has been identified as problematic, for instance crimes such as robbery, theft and pickpocketing (MPI 12/00, 2014:14). When MPOs conduct selective patrols, the following measures are usually taken:

1. They wear civilian clothes and use unmarked MP vehicles;
2. They use disguises in order to deceive potential offenders;
3. Static observations are employed, and
4. Visible police presence is intensified.

Any patrol strategy can sometimes lead to crime shifting. The shifting may not be necessarily from crime, but it could be a shift in terms of time to avoid a confrontation with the MP on patrol. This means criminals wait for the police to withdraw before they move in to commit crime. There is another way of shifting where criminals shift from one place to another and sometimes they shift from one type of crime to another (MPI 12/00, 2014:14).

Saturation patrol is performed at places where crime or unrest has been identified and reported. MPOs in full uniform are deployed to saturate or swamp the place so that they can easily make arrests and reduce the crime rate. This type of a patrol takes longer (MPI 12/00, 2014:15), and patrol is aimed at bringing some stability within a certain area.

Sporadic patrols are almost similar to saturation patrols, but on a smaller scale and within a short space of time compared to the saturation patrol, which takes longer. It also entails intensive patrol on foot and in vehicles. It usually takes between two to three hours and then it is moved to another military residence.

They also conduct call-out patrols, which are carried out after a complaint has been received. Adequate man power is dispatched to the area where the complaint comes from to address any situation at hand. The rapid deployment of MPOs to a crime scene can somehow guarantee positive results. The

effectiveness of the MP can be measured by their reaction time (MPI 12/00, 2014:15).

The White Paper on the Police and Safety and Security of 2015 (2015:47) focuses on the major areas of policing that can help to decrease and prevent crime. The above-mentioned White Paper states that in order to reduce crime effectively in a 21<sup>st</sup> century perspective, policing will have to be creative in the utilisation of technology. Furthermore, the White Paper on Police 2015 further acknowledges that the operational landscape has taken another dimension due to the rapid pace of technological growth. The use of social media to warn people about crime has become inevitable since a large audience can be reached easily and speedily within a short space of time. It is also in line with community-orientated policing, since it helps to build strong relations between the police and the communities.

### **3.3 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)**

According to the National Crime Prevention Strategy (NCPS) of 1996 (1996), there are four pillars which address the four most important areas of intervention in dealing with crime in SA. These four pillars are the criminal justice process, environmental design, community values and education, and transnational crime. The focus here is the second pillar, reducing crime through environmental design. Zahm (2007:3) asserts that the environmental conditions related to the building, the site and what the place looks like play crucial roles in creating opportunities for crime and other problems. Fennelly (2012:102) states that CPTED entails the appropriate design and the utilisation of the built environment which automatically result in a reduction in the fear of and incidence of crime, thereby ameliorating the quality of the lives of the inhabitants. This statement is corroborated by Sutton, Cherney and White (2014:67) who state that the main aim of CPTED is to change people's notion about the built environment and the manner in which public space is defined and utilised.



CPTED is based on the assertion that the design of an environment has a direct bearing on people's behaviour, particularly with regard to the possibilities of offending (Helpful Crime Prevention Facts, 2013:2). The Auburn Crime Prevention Plan 2013-2016 (2013:4) elaborates on this by stating that primary crime prevention is an activity aimed at preventing crime before it occurs by introducing programmes that will change the environment through environmental design so that it becomes very difficult to commit any offence within that particular environment.

The main objectives of this pillar as mentioned in the NCPS (NCPS, 1996) are to promote awareness of the possibilities of the usage of environmental design in the reduction and prevention of crime. It also emphasises the significance of environmental design in other areas such as the motor vehicle security and urban planning. The public sector could find an environmental design very productive if implemented, especially in the field of industries and accounting and delivery systems within the public sector (National Crime Prevention Strategy of 1996).

There are also four key design principles as identified in the Community Crime Prevention, British Columbia ([sa]:6), Zahm (2007:5), Anon (2009:1) and Fennelly (2012:107). They include natural access or access control, natural surveillance, territoriality or territorial reinforcement and maintenance.

1. **Natural access** – this is a design that naturally maximises control and surveillance and has direct effects on the flow of people, for example: exterior and interior design of a building, landscaping, lighting, and traffic calming (Community Crime Prevention, British Columbia, [sa]:6). Access control also includes the improvement and designing of building entrances from the public environment to semi-private and private areas (Anon, 2009:1). Access control can be achieved by making it difficult for an intruder to gain access into a building

through locks, reinforced windows, gates etcetera (Schneider, 2010:22; Sutton et al., 2014:70).

2. **Natural surveillance** – this is a design that increases visibility so that authorised users are able to observe and monitor all activities around them, for example: office or apartment windows with unobstructed sightlines to places such as parking areas or other areas where crime is likely to take place (Community Crime Prevention, British Columbia, [sa]:6). In other words, this design increases the visibility of every movement outside, including that of people, vehicles and general site activities (Anon, 2009:1 & Sutton et al., 2014:70).

Natural surveillance also plays an important role in parking lot design. Lush vegetation creates a natural barrier to natural surveillance for the parking attendants, employees and other normal users (Fernandez, 2005:12).

3. **Territoriality** – crimes and disorder become difficult when the residents take ownership of their surroundings (Community Crime Prevention, British Columbia [sa]:6). Zahm (2007:3) believes that the maintenance of territory should be encouraged because things such as landscaping, porches and sidewalks make it easier to differentiate between private and public areas. It also assists the users of that particular area to show signs of “ownership”, which subsequently send a “hands off” message to anyone who would like to commit crime (Anon, 2009:1; Sutton et al., 2014:69). A sense of territorial zone for legitimate users is created by a physical concept. Therefore, the territorial zone is regarded as high risk by offenders (Fernandez, 2005:9).

4. **Maintenance** – Users respect their environment more when it is always in a good condition and well managed. This can be done by removing graffiti and garbage, avoiding overgrowth of hedges, fixing inoperative lighting, installing good and quality locks and avoiding loitering around. Trimming of trees, mowing of grass, repairing broken glass and other lighting fixtures are some of the crucial aspects of good maintenance and management of environments (Anon, 2009:1).

A clean and tidy environment sends a message to criminals that the place is well looked after and therefore not a playing ground for thugs. It also sends a message that someone somewhere could be watching (Anon, 2009:1).

The perceptions of safety can be influenced by the environment. This is evident in that some environments create a feeling of safety while others can create fear, irrespective of the crime rate within that particular environment. In this case, both planning and design measures can be used to the advantage of the people in areas where they feel vulnerable to crime (Council for Scientific and Industrial Research (CSIR), [sa]:1). According to the CSIR ([sa]:1), CPTED initiatives include decreasing the chances for crime to occur by putting in place well-planned pedestrian routes, suitably designed informal trading areas and the external use of facilities. It is also based on the inference that managing and reducing vacant and unused spaces can limit the potential dangers related to crime.

This initiative believes that parks, pedestrian routes and streets must be properly illuminated since that can deter criminals from committing crime. Finally, the interaction between the police and the community must be improved and the built environment must be managed effectively by ensuring that light

bulbs are constantly checked and replaced, trees and vegetation are trimmed where and when necessary and that garbage is collected regularly.

Zahm (2007:5) highlights another dimension to CPTED: it is not only a crime-prevention tool, but also a problem-solving tool that gives attention to environmental conditions and the possible opportunities they give to crime or other undesirable behaviour. The NCPS (1996) states that CPTED concentrates on designing systems that are aimed at decreasing the likelihood of crime being committed and subsequently increases the chances of detection and identification of crime.

Therefore, CPTED strives to decrease and remove the opportunities to commit crime by employing some components of the environment to control access, making it easier to see and be seen and promote the maintenance of territory (Clancey, [sa]:1). Another crucial characteristic of CPTED as mentioned by Coetzer (2009:3) is that it cannot be generalised. Each environment requires its unique CPTED plan. According to Dennis (2013:11), CPTED has been adopted as a tool to reduce and prevent crime by the authorities and it has increasingly been used in recent times.

Fennelly (2012:108) is of the view that by utilising the nine CPTED strategies mentioned below in many environments, crime can be significantly reduced:

1. Clear border definition of controlled spaces.
2. Clearly marked transitional zones.
3. Gathering areas.
4. Unsafe locations are used to place safe activities.
5. Safe locations are used to place unsafe activities.
6. Space is redesigned to provide natural barriers when used.
7. Scheduling space more appropriately.
8. The perception of natural surveillance is increased through the design of space.

The basic idea of CPTED is that knowledge and creativity regarding the built environment make it possible to decrease crime (Guidelines for Queensland, 2007:3). The built environment must be able to promote and help with the quest for greater social, economic and physical credibility. Furthermore, it must furnish safe, secure, vital and attractive places in which people can live. Additionally, it should be able to provide all these without utilising barriers, technology or guards to protect people and their property (Guidelines for Queensland, 2007:3). Grant (2015:11) asserts that available opportunities that could engender crime can be decreased through environmental changes, thereby preventing crime. The SAPS should play a major role in advising the community at large and the business sector about architectural design and their position in target hardening (Implementation of Sector Policing, 2015:78).

### **3.3.1 The relevance of crime prevention through environmental design for the military police**

A clean, well-maintained and monitored environment sends a message to criminals to back off, contrary to a filthy, badly maintained and poorly monitored environment that invites criminals (Makhubela, 2011:23). An environment with dilapidated houses, broken windows and damaged fences portrays a negative image that criminals can come and go without being detected (Makhubela, 2013:23). The Tek Base Military Community decided to take matters into their own hands to improve their situation with regards to the high levels of crime within their environment. They introduced a cleaning day for all military residences at Tek Base, and the day was also used as an awareness campaign to alert residents to the escalating crime.

Certain measures were adopted by the military community, including patrols, street committees and the use of whistles to deter criminals and to warn other residents that there is a criminal on the loose (Makhubela, 2011:23). The work done by the police (MP) was crucial in preventing crime, but the community felt that it was necessary that they also play a major role in ensuring a crime-free environment. The community wanted to instil a sense of ownership and

responsibility for their own area. According to Flight Sergeant (Fsgt) Mothwa of the TTMP, as cited in Tlhaole (2009:28), the MP are aiming at preventing crime within Thaba Tshwane so that they can gain public confidence. He further states that the involvement of the community in preventing crime within the military area can help to reduce the levels of crime.

Within military bases, soldiers are used as guards to maintain access control and to safeguard state property, but sometimes they also become victims of crime. In the year 2015, guards at Tempe Military Base were robbed of two R4 rifles, a communication radio, two rifle magazines, two weapon belts, two lanyards and 18 rounds of ammunition to the value of R18 000 while they were on duty guarding a military warehouse (Evans, 2016). After the incident, a Board of Inquiry (BOI) was convened and it found that the guards were sleeping during the robbery and that the security fence was not up to standard. Lastly, the security cameras were not working (Evans, 2016). To date, nobody has been arrested.

In August 2016, weapons and other military equipment were stolen at a naval base in Simons Town in the Western Cape. Three civilians were later arrested in connection with the robbery (Peterson, 2017). On 14 April 2017, there was a robbery at the 9 SA Infantry Battalion (9 SAI) military base in Khayelitsha, situated in the Western Cape (Dolly & Peterson, 2017). It is alleged that the military guards were overpowered by five robbers, which resulted in six rifles being stolen (Sokanyile, 2017; Peterson, 2017). According to Peterson (2017), a former member of the SANDF was arrested in connection with the robbery on 20 April 2017.

Having guards and other technological systems in place might not be effective, especially if there is no proper maintenance and monitoring. CPTED holds that the physical environment has the potential to either increase or decrease opportunities that give rise to crime (CSIR, [sa]:1). Some environments can play a pivotal role in changing perceptions about safety, while others can simply succeed in instilling fear, even in areas where crime is rife. Therefore, the

successful utilisation of planning and design measures can improve feelings of safety in an environment where people feel at risk (CSIR, [sa]:1).

### 3.3.2 Thaba Tshwane clean-up campaign

In the year 2011, the Interim National Defence Force Service Commission (INDFSC) visited military bases around SA and they were perturbed by the state of untidiness and dirtiness of military facilities, especially the Thaba Tshwane military area in Pretoria (Makhubela, 2011:23). The lack of maintenance for military facilities in the DOD led to the absence of comprehensive preventative maintenance programmes. This was indicated in the INDFSC report, which prompted the then Minister of Defence and Military Veterans, Lindiwe Sisulu, to issue an instruction to clean up military facilities (Makhubela, 2011:23). Minister Sisulu said that Thaba Tshwane as a military town reflects directly on soldiers in numerous ways, particularly with regards to the environment they live in. The minister basically implied that a clean environment says a lot about the people living in it.

## 3.4 SOCIAL CRIME PREVENTION

Social crime prevention is a model that pays attention to both the social and economic conditions that engender criminal and violent behaviour (Zambuko & Edwards, 2007:11). The social conditions that encourage crime are unique and complicated. The social crime prevention strategy is based on the presupposition that the causes of crime are complicated. Therefore, positive results in preventing crime require a range of suitable approaches tailor-made to focus on specific conditions (ISCPS of 2011, 2011:7). The framework for the Integrated Crime Prevention Strategy (ISCPS) of the Social Development (2011) is for the advancement of SCP nationally. Its vision is to create a safe SA where communities can live safely, and individuals can live responsibly (ISCPS, 2011:39).

According to Zambuko and Edwards (2007:11), apartheid created conditions such as poverty and unemployment in SA. Social, educational, health, cultural and environmental measures were designed to decrease the risks and opportunities for offending by strengthening the protective measures that are in place (Sagant & Shaw, 2010:2). Andresen and Felson ([sa]:3) remark that social prevention deals with the reform of individuals by concentrating on changing policies such as education, rehabilitation and some other programmes designed to build character. All prevention programmes have incorporated a social approach because this approach is based on policies that provide support to those areas with the most vulnerable populations (Sagant & Shaw, 2010:2).

Social crime prevention takes into account the causes of criminality, which are believed to be grounded in social formations. The model intervenes with the aim of diverting an individual from committing an offence (Evans, 2011:16). The emphasis of social prevention is to reinforce social bonds to bring individuals together in a group with a valid expectation that will make offending against this group impossible, while equipping the individual with a moral code aimed at redirecting him/her towards a positive goal (Evans, 2011:16).

According to the Crime Prevention in Ontario: a framework for action ([SA]:22) and the Handbook on Crime Prevention Guidelines of 2010 (2010:37), public education and awareness is a very significant tool for crime prevention and victimisation. Therefore, the utilisation of the social or commercial media is a better way of transmitting messages to educate communities about ways and means of averting victimisation. Social or commercial media, such as national newspapers and magazines, can also be utilised to educate community members about the consequences of crime.

A large part of the population can be reached easily through the dissemination of local papers, which allows them to read about various police interventions towards crime prevention (Barthe, 2006:27). Social or commercial media can also be utilised to educate community members how to identify warning signs



associated with crime risk factors (Handbook on Crime Prevention Guidelines of 2010, 2010:37). Various departments can play a major role in educating and inspiring the public about mechanisms to remove crime opportunities and the adoption of an improved self-protection lifestyle (Barthe, 2006:1).

External government agencies and organisations in the City of Joondalup developed community awareness and education programmes with the aim of enhancing community safety and crime prevention (Community Safety and Crime Prevention Plan 2014 – 2018, 2014:23). Singh ([sa]:141) states that ignorance has been the main reason for the public's inability to become involved in crime prevention initiatives. In such cases, it becomes the responsibility of the police to ensure that this ignorance is combatted through the introduction of programmes such as education and awareness campaigns to make them aware that:

1. The safety of people's property and neighbourhoods, including their own safety, remains their responsibility;
2. Through their negligence and carelessness, crimes that are opportunistic in nature are easily committed. When the opportunity is denied, crime is prevented; and
3. Taking simple and effective measures in their neighbourhoods can prevent crime. Crime prevention activities must be proportional to the crime threat.

The third pillar of the NCPS of 1996 is public value and education. Its emphasis is on promoting public participation and taking responsibility for crimes within respective areas. In the above-mentioned pillar, education is viewed as the right vehicle to convey information about the effects of crime, community values and low tolerance for criminal behaviour. Carli (2008:5) asserts that public education in the form of campaigns are good examples where instruments such as the

media play a pivotal role in lobbying support for crime prevention through the dissemination of information to a large audience within a short space of time.

### **3.4.1 Public education**

Public education is important in building crime prevention awareness programmes aimed at changing people's attitudes, while also motivating them to participate in such programmes (National Crime Prevention Council Strategic Plan, [sa]:3). American citizens were under the impression that crime prevention was the law enforcement agencies' responsibility, but the National Crime Prevention Council Strategic Plan (NCP CSP) was able to convert their mentality and currently they all know and understand that every citizen has a role to play in preventing crime. In the city of Diadema in Brazil, a comprehensive crime prevention strategy was developed that included a curfew for bars and restaurants, improving housing, environmental upgrading and public education and campaigns (Shaw & Travers, 2007:14). The strategy was implemented by means of the participatory approach in which community members were directly involved.

According to the Handbook on Crime Prevention Guidelines of 2010 (2010:38), public education and communication are therefore significant for:

1. Involving the public in local programmes;
2. Cautioning the public about new crime challenges;
3. Evaluating public understanding of possible solutions;
4. Providing valuable data about resources and services;
5. Changing attitudes about the way the community views awareness of specific types of crime;
6. Evaluating public understanding of local challenges; and
7. Evaluating public understanding of priority solutions to crime.

Education provides the best opportunities for decreasing the levels of crime and contributes to society by assisting children with knowledge, skills and character that will help them to avert becoming part of criminal activity (Mitra, [sa]:13). Educational programmes are also essential in dealing with distrust towards the police by educating the community about police policies and laws that govern the police and their actions (Schanzer, Kurzman, Toliver & Miller, 2016). Crime prevention has been achieved in Victoria through education, health, human and justice services (O'Donohue, [sa]:20).

### **3.4.2 The relevance of social crime prevention for the military police**

The MPD held a total number of 13 crime prevention forums with various military community members within the areas of responsibility during the 2010/11 financial year. The aim was to educate them about crime and its different levels (Annual Report FY 2010/11, 2011:92). These forums were conducted to re-emphasise the involvement of military communities in crime prevention and detection within their respective military areas (Tlhaole, 2009:28).

Crime prevention strategies produce the required results when they address the causal factors of crime. In achieving the desired goal, a considerable number of accessions can be used, including environmental and situational interventions that decrease factors that give rise to crime (Crime Prevention Tool, 2009:9). Educational and social interventions are also very important in promoting and building the resilience of families to withstand temptations that can lead to involvement in crime and victimisation (Crime Prevention Tool, 2009:9). Phyfer and Wakefield (2015:23) acknowledge that violence and violent crime are significant social problems in SA. The challenge is that social problems are not addressed timeously, but only after a crime has been committed.

Social crime prevention is based on the premise that poverty and unemployment play significant roles in exacerbating crime. Public education

also plays a crucial role in creating awareness among community members about crime and its consequences. Social media such as Facebook, Twitter and many more can be used to disseminate messages about crime awareness campaigns (Fennelly, 2012:130).

### **3.5 EFFECTIVE CRIMINAL JUSTICE**

The Criminal Justice System (CJS) includes agencies such as the government charged with enforcing the law, adjudicating crime and correcting criminal conduct (Siegel, 2011:382). According to the NCPS of 1996 (1996), the criminal justice process is a crucial pillar in the fight against crime in SA. Some of its objectives are: to strengthen the impact of the CJS as a deterrent to crime and as a source of support to victims of crime, and to capacitate the intensity of the criminal justice system so that they are able to prioritise those crimes identified as priority crimes. Siegel (2011:382) adds that all the agencies that are part of the CJS were created to prevent social harm by arresting criminals, bringing them to justice and convicting them. It is also aimed at imposing punishment to those criminals that have already been on the wrong side of the law and to send a signal to those who are thinking of committing a crime that it is not worth it (Siegel, 2011:382).

Criminal justice crime prevention is a crime prevention strategy that involves the police, courts and prisons and it promotes the deployment of more police officials, the improvement of arrest rates, courts passing serious punishment to offenders, and lastly the proper rehabilitation of offenders before they are released back to the community (Clancey, [sa]:3). According to O'Donohue ([sa]:33), the CJS pays more attention to the role that the various agencies within the CJS play in preventing and reducing crime and re-offending through punishment or penalties.

Schneider (2010:33) states that there has been some criticism that the criminal justice system is inflexible and incapable of incorporating proactive measures and preventive remedies. Schneider (2010:33) further argues that instead of

criticising, one must consider the significant preventive role that the CJS plays in deterring and preventing crime. Sometimes deterrence is the result of the rapid response of the police, but most offenders have fear of punishment such as incarceration.

There are two types of deterrence, namely general and specific deterrence (Hollin, 2013:324; Hunter & Dantzker, 2012:14). Cusson ([sa]:56) says that people with the potential to commit a crime can be deterred by safety measures that have been put in place by potential victims. Offenders will easily abstain from committing an offence because they are afraid of being apprehended by members of the neighbourhood watch. Alarm systems administrated by private companies are also strong deterrents and they send a message that potential victims might have the potential to defend themselves (Cusson, [sa]:56).

Siegel (2011:95) asserts that there is a bigger possibility that people will commit a crime if they do not have any fear of the consequences. These deterrence theories indicate that a crime is less likely to be committed when the offender realises that there is a chance of being caught, in other words, if the risk of being caught is high, the offender will refrain from going ahead and committing the crime (Worrall & Schmallegger, 2013:103).

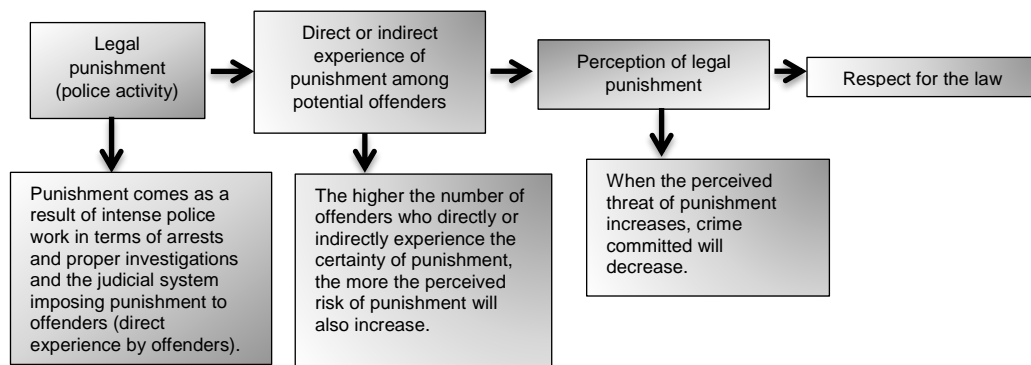


Figure 3.1: Sequence that shows the possible connection of objectives of punishment and respect for the law (Cusson, [sa]:58)

Cusson ([sa]:56) suggests that legal punishment is another acceptable deterrence that can instil fear in offenders. This includes legal sanctions, informal sanctions and situational measures adopted mostly by potential

victims. The high visibility of police on patrol is a deterrent because it instils a fear of being caught and prosecuted in offenders (National Crime Prevention Framework [sa]:8; Siegel, 2011:96). Hunter and Dantzker (2012:14) and Siegel (2011:96) add that it is true that imposing harsher sentences prevents individuals from committing crime and therefore brings the crime rates down. General deterrence as mentioned by Hunter and Dantzker (2012:14) and Hollin (2013:324) is when other people are deterred from committing crime when they see others being punished for engaging in criminal activities. Siegel (2011:95) adds that another theory of general deterrence is that the greater the severity of punishment and the expeditiousness of the legal sanctions, the more crime rates decrease.

There has been much criticism about the low conviction rates in the SA CJS and it remains a problem (SA Law Commission, [sa]:26). The low conviction rates are attributed to a lack of training for members of the CJS, detectives who are overworked, as well as a lack of support staff and services provided to prosecutors (SA Law Commission, [sa]:26). The inefficacy of the CJS to deal effectively with the perpetrators of crime by holding them accountable for their actions sparks an attitude among criminals that they are exempted from the law.

The Constitutional Court made a historical judgement in the year 1995 when declaring the death penalty as unconstitutional in SA. Justice Chaskalson, who was the President of the Court, wrote that the main prevention of crime lies in the risk that offenders will be arrested, prosecuted and punished (SA Law Commission, [sa]:26). He further said that at this juncture, this is not happening in the SA CJS. Therefore, lawlessness cannot be combatted if the root causes are not dealt with.

Reactive policing is crucial in that it deters criminals so that they do not go ahead with committing a crime within a particular area. Police actions related to criminal activities have a bigger role to play in sending a message to criminals that the chances of being apprehended and punished are great and those are

achieved through swift police reaction (Implementation of Sector Policing, 2015:79). Patrols and visible policing increase the risks of criminals being arrested and punished for their crimes. However, police patrols should not be done for the sake of correctness, but must be focused on reducing opportunities for crime (Implementation of Sector Policing, 2015:79).

Hollin (2013:324) and Hunter and Dantzker (2012:14) mention that one method of deterrence is the punishment imposed on an offender. After the punishment the offender would decide not to commit a crime again since it is not worthwhile, considering the punishment that the person endured. Therefore, a deterrence theory stresses individual accountability and focuses on making crime worthless through the use of punishments imposed by the CJS (Hunter & Dantzker, 2012:237). Siegel (2011:97) argues that legal punishment is aimed at deterring offenders from committing a crime. It is also supposed to instil a sense of fear in offenders. In other words, it is supposed to create a “threat system”, but irrespective of the attempts made by the criminal justice to punish offenders so that they fear to commit crime, there is little proof that the fear of arrest and punishment plays a significant role in reducing crime rates.

Cusson ([sa]:61) adds another dimension called situational deterrence, which focuses mainly on the offender’s fear of the exact condition of the criminal action. This theory proposes that the crime situation that faces the offender can make him change his mind and abstain from committing a crime because of the risks and dangers involved (Cusson, [sa]:61). The CJS was made a priority in the year 2012 in SA and efforts were aimed at intensifying the partnership with other stakeholders such as communities, business interest groups, municipalities, media, religious groups and other formations, including other international law agencies (Van den Bergh, 2016).

### **3.5.1 The relevance of effective criminal justice for the military police**

The Defence Legal Service Division (DLSD) was established in the year 1999. Its mandate emanates from section 200(1) and 198(c) of the Constitution of the

RSA, (Act 108 of 1996). The mandate allows the DLSD to contribute effectively to the country's defence capability by ensuring that it functions in compliance with both national and international law (DLSD, 2008).

### **3.5.2 The role of the DLSD in the South African DOD**

The role of the DLSD in the SA DOD encapsulates the following (DLSD, 2008):

1. To furnish a professional and legitimate legal service to the SA DOD;
2. DLSD provides legal advice to the principals (Chiefs of Services and Divisions) of the DOD and the members of the SANDF;
3. To provide operational legal advice to deployed members and unit commanders in the field; and
4. To ensure the deployment readiness and resilience of all military legal practitioners.

There are four types of courts under the DLSD: the Officer Commanding Disciplinary Hearing, Court of a Military Judge (CMJ), Court of a Senior Military Judge (CSMJ) and the Court of Military Appeals (DLSD, 2008 & SA Defence Review 2015, 2015:12-4). Both the MPD and the Legal Services Division established liaison forums to ensure that there is meaningful contribution to all watertight cases, resulting in the expedition and successful finalisation of cases (DOD Annual Report FY2010/11, 2011:92). There are currently two Military Correctional Facilities (MCF) that are directly under the MPD where soldiers are incarcerated and rehabilitated (DOD Annual Report FY2012/13, 2013:96). The MCFs are for the detention and rehabilitation of offenders (only military personnel).

In the year 2009 the SA government acknowledged that levels of crime have declined since a number of resources were made available to the CJS, but their performance was still far below expectations (Twenty-year Review SA 1994-



2014, 2014:137). An outcome-based system was therefore adopted. Moreover, the government also reassured SA citizens that they would be free and safe from crime (Twenty-year Review SA 1994-2014, 2014:137). There are certain criminal cases that are not prosecuted by the DLSD and those include murder committed within the borders of SA and fraud involving huge amounts of money. Murder that is committed by any member of the SANDF outside the borders of SA while on official duty, are investigated by the MP. Those cases that cannot be investigated by the MPD in SA are therefore referred to the magistrate courts or the commercial crime courts.

### **3.6 SUMMARY**

Crime prevention becomes more effective when all members of society work in collaboration with the law enforcement agencies to achieve a free and safe environment for all. In the effort to decrease the levels of crime, the use of the crime prevention models such as CPTED, SCP, social crime prevention and an effective justice system can produce positive results. Community members, including military community members, have to take responsibility and ownership of their environment to ensure that it does not invite criminals, but instead deters them. This can be achieved by keeping the environment clean and tidy at all times. The inadequate civilian trust in the police appears to be a major problem and this lack of trust ties in with the lack of respect for the CJS by criminals.

## **CHAPTER 4: THE CRIME PREVENTION ROLE OF THE MILITARY POLICE DIVISION IN THE SANDF**

### **4.1 INTRODUCTION**

The SANDF, like many other organisations in the SA government and the private sector, has suffered great losses as a result of crimes such as theft, fraud and corruption. Crimes such as theft of SANDF equipment and rations render the organisation ineffective in performing its function of safeguarding the borders of the RSA and the protection of its citizens against any external military aggression. It becomes even more worrying when criminals break into military bases to steal equipment like weapons, ammunition and vehicles. This indicates the need for the SANDF to be able to prevent crime within its own facilities and ranks because it is not immune to crime.

This chapter focuses on the crime prevention role of the MPD in the SANDF, the role players in crime prevention in the SANDF, the SANDF crime statistics and a critical analysis of the MPD structure.

### **4.2 CRIME PREVENTION ROLE OF THE MILITARY POLICE DIVISION IN THE SANDF**

The SANDF came into being on 27 April 1994 after liberation forces such as Umkhonto Wesizwe (MK), the Azanian People's Liberation Army (APLA) and the KwaZulu Self Protection Forces (KZSPF) of the Inkatha Freedom Party had been integrated. The integration also included the defence forces of the former Transkei, Boputhatswana, Venda and Ciskei (TBVC states) into one national defence force (Le Roux, 2005:242). The birth of the SANDF was as a result of the establishment of the new democratic SA. The SANDF is currently an organisation that comprises four arms of service, namely the SA Army, SA Air Force, SA Navy and the SA Military Health Service (NCPS, 1996). All four arms of service have their MPs but they are under the umbrella of the MPD, which is commanded by the Provost Marshal General (PMG), although their careers are

still managed by their respective arms of service (DOD Planning Instruments for 2015 to 2020, 2015:54).

Section 199 (1) and (2) of the Constitution of the RSA (1996) states clearly that the Republic will have only one defence force and one police service. The primary objective of the SANDF is to defend and protect the Republic, its territorial integrity and its people in accordance with the Constitution and the principles of international law regulating the use of force (Constitution of the RSA (1996), section 200 (2)).

The role of the SAPS according to the Constitution of RSA (1996) section 205 (3) is to prevent, fight and investigate crime, maintain public order, protect and secure the inhabitants of the Republic and their property and to uphold and enforce the law. While the SANDF has a different Constitutional role, there is a division that is authorised to provide a policing capability, namely the MPD. According to the Defence Act (Act 42 of 2002), section 31, the MPD has the same powers and duties as any member of the SAPS (See 1.3, para 5). However, the MPD deals with internal matters concerning SANDF members and works in collaboration with the SAPS in some instances. They enforce discipline, provide corrective measures but their powers are limited to their jurisdiction.

SA is largely affected by crime and criminal violence, which is to the detriment of all sectors of society, and the availability of illegal small arms in private hands contributes to crime (The White Paper on National Defence for the RSA 1996, Chapter 4 (31), 1996:20). According to Snodgrass (2015), SAPS statistics revealed an escalation in the use of illegal small arms and light weapons in the commission of crime, and that violent death in the country often occurs as a result of gun-related crimes. This has placed SA second in the world rankings of violent crime, after the United States of America (USA) in the first position (Snodgrass, 2015).

The SANDF is not immune to the crime that takes place in SA, because it exists within the society at large. The Minister of Defence and Military Veterans, Nosiviwe Mapisa Nqakula, acknowledged that between 2009 and 2013 more than 1 000 serious crimes were reported in the SANDF (Hartley, 2013). It must be noted that these crimes were reported within the SANDF. All the serious ones were referred to the SAPS for further investigation while the minor offences were dealt with by the respective OCs and the various military courts in terms of the Military Disciplinary Code (MDC). Minor offences are those that warrant internal disciplinary processes such as disciplinary hearings where an OC can impose a fine of not more than R600 (SA Defence Review 2015, 2015:12-4). All minor offences are not reported to the MPD but are dealt with by the OCs within their respective bases. OCs are also granted the authority to institute BOIs to investigate circumstances that could have led to a motor vehicle accident, shooting incident or any other incident. The BOIs are later referred to the Military Prosecutor for their recommendations.

In 2016, it was reported that 50 computers were stolen from the military intelligence offices in Pretoria. The police, either the MP or the SAPS, issued a statement that the computers were new and did not have any important information, although it was suspected that important State information could have landed in the wrong hands (Staff Writer, 2016). Crime is a reality and everyone must be prepared to deal with it in order to protect their lives and possessions (Fennelly, 2012:xvii).

The primary role of the DOD is derived from section 200 (2) of the Constitution of the RSA (1996). It is the same Constitution from which the Defence Act (Act 42 of 2002) and the White Paper on Defence (1996) emerged, (according to the DOD Annual Report FY2010/11 (2011:10)). The National Crime Prevention Strategy (1996:24) states that the primary function of the SANDF is to defend the RSA, while the secondary role is performed when employed for service by the President. This is done in cooperation with the SAPS to maintain law and order and is also echoed in section 25 of the Constitution of RSA (1996).

It is imperative to note that the MPD continuously prepare and provide combat ready MPOs to the Joint Operations Division so that they are deployed to take part in all joint operations and exercises (DOD Annual Report FY2012/13, 2013:97). This means that wherever SANDF soldiers are deployed, members of the MPD also take part in that particular operation or exercise. In most cases the word soldiers is used inclusive of every soldier, including the MPOs. In November 2009 the SANDF was ordered to replace the SAPS at the borders of RSA to safeguard the territorial integrity of the Republic and to fulfil its constitutional role (Statement by Minister of Justice and Constitutional Development, Justice, Crime Prevention and Security (JCPS) cluster media briefing on 25 June 2012), as mentioned by Van den Bergh (2016). This decision was made to strengthen borderline security. However, the SANDF works with other law enforcement agencies as border management forms part of the government's crime prevention strategy. It is a strategy aimed at curbing crime syndicates and rhino poaching (Van den Bergh, 2016).

The SANDF has operated exceptionally well at the borders of the Republic over the years. They made significant achievements such as the recovery of stolen weapons, vehicles and stock (Netshirembe, 2015:12). Another success of the SANDF after their return to the borders, is the arrest of 968 undocumented foreign nationals from Somalia, Mozambique, Nigeria, Mozambique and Swaziland at the beginning of May 2016 (Mashisane, 2016:8). During a similar operation conducted by the Mpumalanga Joint Tactical Headquarters, which is responsible for border protection operations along the Mozambique and Swaziland borders, 15 stolen vehicles, counterfeit goods to the value of R1 530 070, contraband cigarettes to the value of R799 800 and dagga were discovered (Mashisane, 2016:8).

During the FY2012/13, 120 MPOs were deployed as part of Operation Corona (Martin, 2013). Operation Corona is aimed at protecting the borders of SA and also to prevent cross-border criminal activities between SA and its neighboring countries (Rasaka, [sa]). Therefore, through Operation Corona the MPD played a pivotal role in ensuring that the borders of SA are protected (Martin, 2013). A

total number of 227 MPOs were deployed both internally and externally during the FY2012/13. Some of the MPOs were deployed in support of the UN Mission in the DRC whilst other were deployed as part of Mission Thebe, also in the DRC (Martin, 2013).

To curb some of the challenges at the SA borders, such as rhino poaching, Operation Pyramid was launched on 19 June 2015 at Skukuza in the Kruger National Park in the Mpumalanga Province (Paxton, [sa]). Skukuza is the administrative headquarters and the main rest camp of the Kruger National Park (Marais, 2012:54). Operation Pyramid comprised of the army, the police and the Immigration Department and it was aimed at securing the SA borders by ensuring that no illegal immigrants and goods enter illegally into the Republic (Nehanda Radio, 2015). The SANDF was one of the major role players in Operation Pyramid, which was approved by the Cabinet as an initiative to strengthen border security and control through the Border Management Agency (BMA). Operation Pyramid focused on law enforcement, amelioration of infrastructure development for border communities, finding technological solutions and conducting intelligence-driven operations (Netshirembe, 2015:13).

While members of the SANDF (Infanteers) were doing routine patrols together with members of the MPD at Popallin Ranch along the border of SA and Zimbabwe; they noticed some suspicious people (Sithole, 2013:5). They then approached the group of people, who tried to run away but a few shots were fired by the SANDF members. One suspect was arrested and boxes of cigarettes were confiscated, but the rest of the suspects managed to escape. The suspect was also found in possession of an amount of R13, 780. 00, and moreover he tried to bribe a member of the MPD by offering him an amount of R13, 000, but the member refused (Sithole, 2013:5).

One example of the secondary role of the SANDF was the security-related support that was provided to the SAPS during the 2010 FIFA World Cup in which the SANDF participated in Operation Kgwele in pursuance of national

security objectives (DOD Annual Report FY2010/11, 2011:54). Another example was when the SANDF deployed its members to assist the SAPS in Operation Fiela in April 2015. The operation focused on curbing the violence directed towards foreigners in SA (Minnè, 2015:1). Moreover, the MPD also played a crucial role during Operation Kgwele in 2010 during the FIFA World Cup by supporting with security and also by providing escort services to the DOD as required (DOD Annual Report FY2010/11, 92).

According to section 201 (2) of the Constitution of the RSA (1996), the only person that can authorise the employment of the defence force in law and order operations is the President of the Republic, but only in the following circumstances: in cooperation with the police service; in defence of the Republic; or in fulfilment of an international obligation. Before the defence force is employed anywhere for any reason as stated above, the President must inform the Parliament as soon as possible about the reason for the employment of the defence force, the exact place where they will be deployed, the exact number of members required to be involved and the exact period expected for the force to be deployed (Constitution of RSA (1996), Section 200 (3)).

As a requirement, President Zuma submitted a document to Parliament for approval and endorsement to authorise the deployment of soldiers within the border of the Republic in cooperation with the SAPS for Operation Fiela (De Wet, 2015). According to the SA Defence Review (2015:6), the SANDF has a responsibility to support the SAPS when it comes to major events (e.g. Operation Kgwele, FIFA World Cup 2010) and to assist the SAPS in restoring law and order in instances where crime, violence and domestic unrest extend beyond the control of the SAPS. In 2012, a total of 383 members of the SANDF were deployed to maintain law and order in KwaZulu-Natal, Gauteng and other places as it was deemed necessary.

The TTMP conducts crime prevention operations regularly around the Thaba Tshwane military area. They also conduct roadblocks on the public roads in collaboration with other law enforcement agencies like the SAPS, the Tshwane

Metropolitan Police and the Traffic Department (Tlhaole, 2009:28). According to Tlhaole (2009:28), there is a good working relationship between those law enforcement agencies. On 27 February 2009 during an operation at a place called Ikageng hostel in Thaba Tshwane, a civilian member was apprehended by MPD officials and dagga plants were confiscated (Tlhaole, 2009:28).

The deployment of the SANDF was seen as a necessary response to the xenophobic attacks that led to foreigners being assaulted and some murdered. The operation resulted in a clean-up of illegal firearms, drug trade and other crimes (De Wet, 2015). This deployment of soldiers was justified by the Minister of Defence, Nosiviwe Mapisa Nqukula as being the last resort to stop the attacks on foreign nationals living in SA (Minné, 2015:1).

This operation was a success in reducing crime levels because over 9 000 arrests were effected and more than 15 000 undocumented foreign nationals were repatriated to their respective countries (Maromo, 2015). According to Minné (2015:2), a Member of the Executive Committee (MEC) of Community Safety and Liaison in KwaZulu-Natal, government commended the operation and further said that Operation Fiela is “a model to be encouraged”. However, some political parties such as the Democratic Alliance (DA) and the Congress of the People (COPE) condemned the employment of the SANDF and questioned the correctness of the crime prevention mandate, considering the high levels of crime in SA. They argued that there is a thin line between the SAPS who are well trained and equipped to maintain law and order and the SANDF who are trained to seek and destroy (Minné, 2015:4).

SANDF soldiers were involved in Operation Prosper in 2008 after a debate about the SANDF support given to the SAPS (Kruys, 2008). Kruys (2008) further states that the Minister of Safety and Security said on national television that the deployment of soldiers to maintain law and order was dangerous because they were trained to kill instead of maintaining the peace. The Minister of Safety and Security’s statement is corroborated by the White Paper on National Defence for the RSA of 1996, Chapter 5, (14.1) that dealing with



civilians is not the responsibility of the armed forces since they are trained to handle situations that require maximum force, particularly against external military aggressors.

The above statement suggests that SANDF members are not trained to maintain law and order but rather to fight in a war situation to track down and destroy adversaries. According to the SA Yearbook 2014/15 (2014:321), the deployment of soldiers in an internal policing capacity must be restricted only to exceptional situations but with the approval of Parliament. The White Paper on National Defence for the RSA of 1996, Chapter 5, states clearly that it is not a suitable decision to employ soldiers in policing roles for the following reasons:

1. Soldiers might get involved in non-military activities due to prolonged employment in law and order operations;
2. The deployment of soldiers in law and order operations may compromise the legitimacy and the image of the defence force in parts of the population where they are deployed;
3. Such internal deployment puts unnecessary strain on the defence budget; and
4. For the sustainment of law and order operations, part-time soldiers (reserves) are called up for duty for the duration of the operation, and therefore create a disruptive effect on the economy.

Apart from the NCPS, the SANDF has formulated its own internal strategy that includes a crime prevention component comprised of MPs, crime intelligence and the Defence Intelligence (NCPS, 1996). More energy is therefore directed towards crime prevention conducted through operations, and involves all the SANDF arms of service, namely the SAA, SAAF, SAN and the SAMHS (NCPS,

1996). Crime prevention involves various activities that are designed to stop the occurrence and recurrence of crime by decreasing any opportunity to commit crime. The NCPS of 1996 has therefore brought new methods of managing, understanding and governing crime in SA.

Violent crime, contact crime and property crime are on the increase in SA (SA Defence Review, 2015:1–7). The challenge is that people feel unsafe to go out to pursue their personal day-to-day activities and take part in social and economic activities. According to the DOD Annual Report FY2010/11 (2011:4), it is the government's aim that all SA people feel safe; which is why the SANDF collaborated with the SAPS in their efforts to fight crime. Visible policing therefore plays a major role in providing citizens with some sense of protection, although decreasing crime requires a combination of interventions (SA Defence Review, 2015:1–7). Various factors contribute to the culture of crime in SA. These factors are inequality, poverty, unemployment, social exclusion and marginalisation (SA Defence Review, 2015:1–8; Zambuko & Edwards, 2007:11; Siegel, 2011:139).

Crime prevention is a process that requires governments, institutions and organisations to change how crime is perceived (Handbook on Crime Prevention Guideline, 2010:7). The SA Defence Review (2015:1–7) asserts that there is always a dangerous perception that crime discussions are always directed to the police for solutions. It is undoubtedly true that an increase in the number of police provides a sense of safety and security to citizens, but crime reduction demands a collection of interventions, even those emanating from outside the CJS. According to the Defence Planning Instruments for 2015–2020 (2015:8), the DOD is looking at strengthening its fight against fraud and corruption especially in those areas where it is prevalent. According to the twelfth Military Police Agency Instruction (MPAI, 2001:1), crime prevention strategies encompass numerous activities and the MPD has some distinguishable characteristics of its own in its effort to fight crime within the DOD. Various social institutions of the defence community have been involved with the aim of reducing crime.

The SANDF has a role to play in crime prevention as far as policing is concerned (Montesh & Basdeo, 2012:77). They also believe that the current demarcation of policing functions between the SAPS and the SANDF in terms of crime prevention is not justifiable; hence, they have to be reviewed and analysed. Montesh and Basdeo (2012:78) make a controversial statement that the crime statistics in SA indicate a need for troops to be deployed to do policing duties. However, the employment of the SANDF – whether internally (within the RSA) or externally (outside the RSA borders) – according to the current legislation as mentioned in section 201 (2) of the Constitution (1996), can be authorised by only the President of the Republic since he has the authority and the power to deploy the defence force (SANDF). This is further corroborated by section 19 (1) of the Defence Act (Act 42 of 2002) that states that the employment of the SANDF in cooperation with the SAPS may be performed only in such areas or at such places as the President orders at the request of the Minister of Defence and the Minister of Safety and Security.

However, the MPD can perform their role of crime prevention in cooperation with other law enforcement agencies without the authority from the President of SA. During an interview with a Senior Military Officer in Thaba Tshwane on 10 October 2016 (Interview No. 20, 2016c), he mentioned that things have changed much in the SANDF. Some years back, MPOs would go on operations with other members of law enforcement agencies at any time, but now they have to first obtain an authority from the Joint Operations Division because they are in charge of all the operations within the SANDF. He further said that this has made it very difficult to arrange surprise operations because the authority takes time to be issued since there is only one person who is dedicated to sign the authorities.

In the year 2008, the President of the Republic commissioned the deployment of the SANDF to assist the SAPS in maintaining law and order during the xenophobic attacks and it was regarded a resounding success (DOD Annual Report FY2008/09, 2009:69). Therefore, the SANDF does not have a crime prevention role per se, but they can assist the SAPS in law and order operations

or on special occasions as they did during the World Cup in 2010. However, the MPD has a major role in the prevention of crime within the SANDF (See 1.3, para 5).

### **4.3 CRIME PREVENTION ROLE PLAYERS IN THE SANDF**

It has been proven that crime prevention efforts are not productive in only decreasing offending and victimisation, it is also cost-effective, which results in long-term savings for investment involved and in social and economic benefits based on the reduction in crime (Shaw & Travers, 2007:9). The main role players in crime prevention in the SANDF are the MPD, Defence Intelligence (DI) and DOD Inspector-General (DOD IG).

#### **4.3.1 The Military Police Division**

The MP Corps has been operating since 1912 and they were deployed wherever SA armed forces would be deployed to maintain law and order within the military context. During that time, there was only the army MP, until 1976 when both the SAAF and the SAN decided to establish their own MP capability (Bapela, 2007). In 1999, all the MPs from various arms of services were amalgamated to form the Military Police Agency (MPA), which was later changed to the MPD. The SAMHS decided to allow its members to join the MPD and for the first time in the history of the SANDF, the SAMHS Police were established (Bapela, 2007).

The MPD Headquarters are situated in Pretoria and have four Military Police Regional Headquarters (MPR HQ), namely the Northern Military Police Regional Headquarters (NMPR HQ) in Pretoria, the Western Military Police Regional Headquarters (WMPR HQ) in Potchefstroom, the Central Military Police Regional Headquarters (CMPR HQ) in Bloemfontein and the Southern Military Police Regional Headquarters (SMPR HQ) in Cape Town (DOD Annual Report FY2008/09, 2009:69). The geographical locations of the MPD

Headquarters are presented in Figure 4.1. Under the four regional headquarters, there are 22 area offices and 22 detachments.

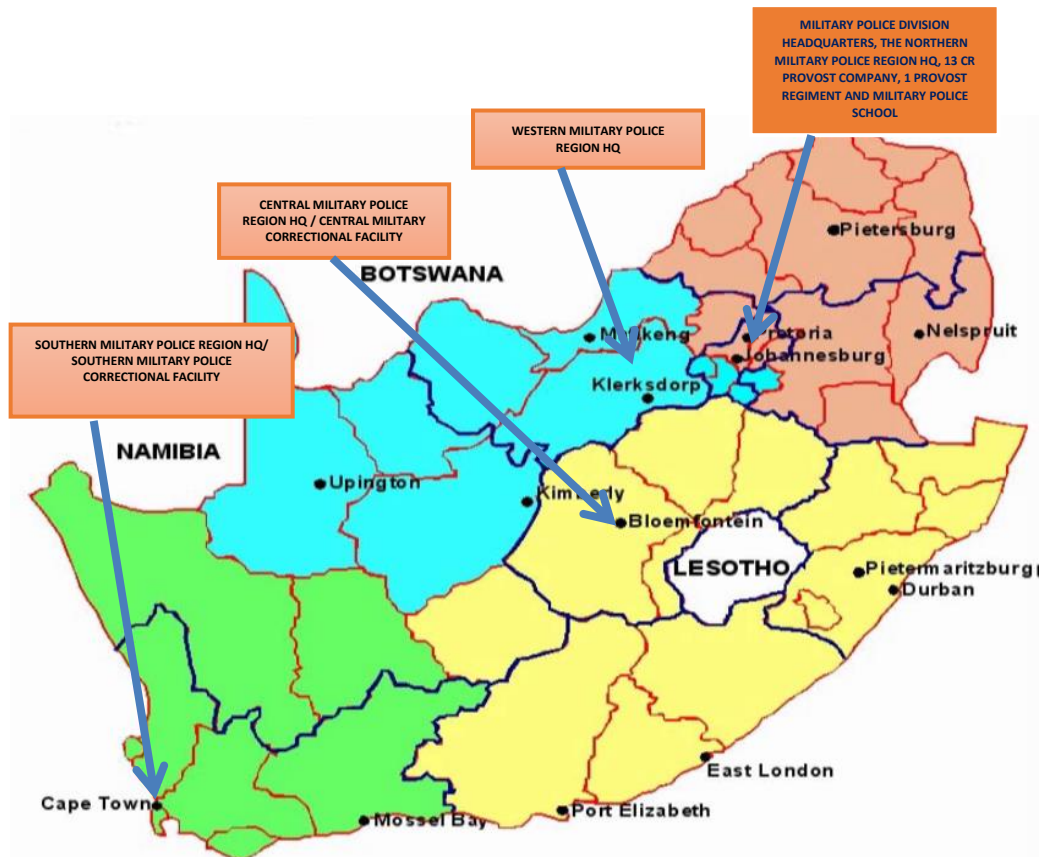


Figure 4.1: Geographical locations of the MPD HQ and the Regional Headquarters in SA (Provost Marshal General, 2007:1)

There are two Military Correctional Facilities (MCF) in SA, situated in Bloemfontein and Cape Town respectively. There is also a Provost Company called 13 Combat Ready Provost Company which deals with both external and internal deployments. 1 Provost Regiment is a MPD Reserve Force Unit, also situated in Pretoria. 1 Provost Regiment provides reserve force members to the various MPD units. All MPOs are trained at the Military Police School (MP School) in Pretoria (DOD Annual Report FY2008/09, 2009:69). It must be noted that the four MPR HQs were not demarcated according to the geographical locations of the nine provinces and, as a result, some regions cover two to three provinces. Table 4.1 shows all the various HQs and sections under the MPD.

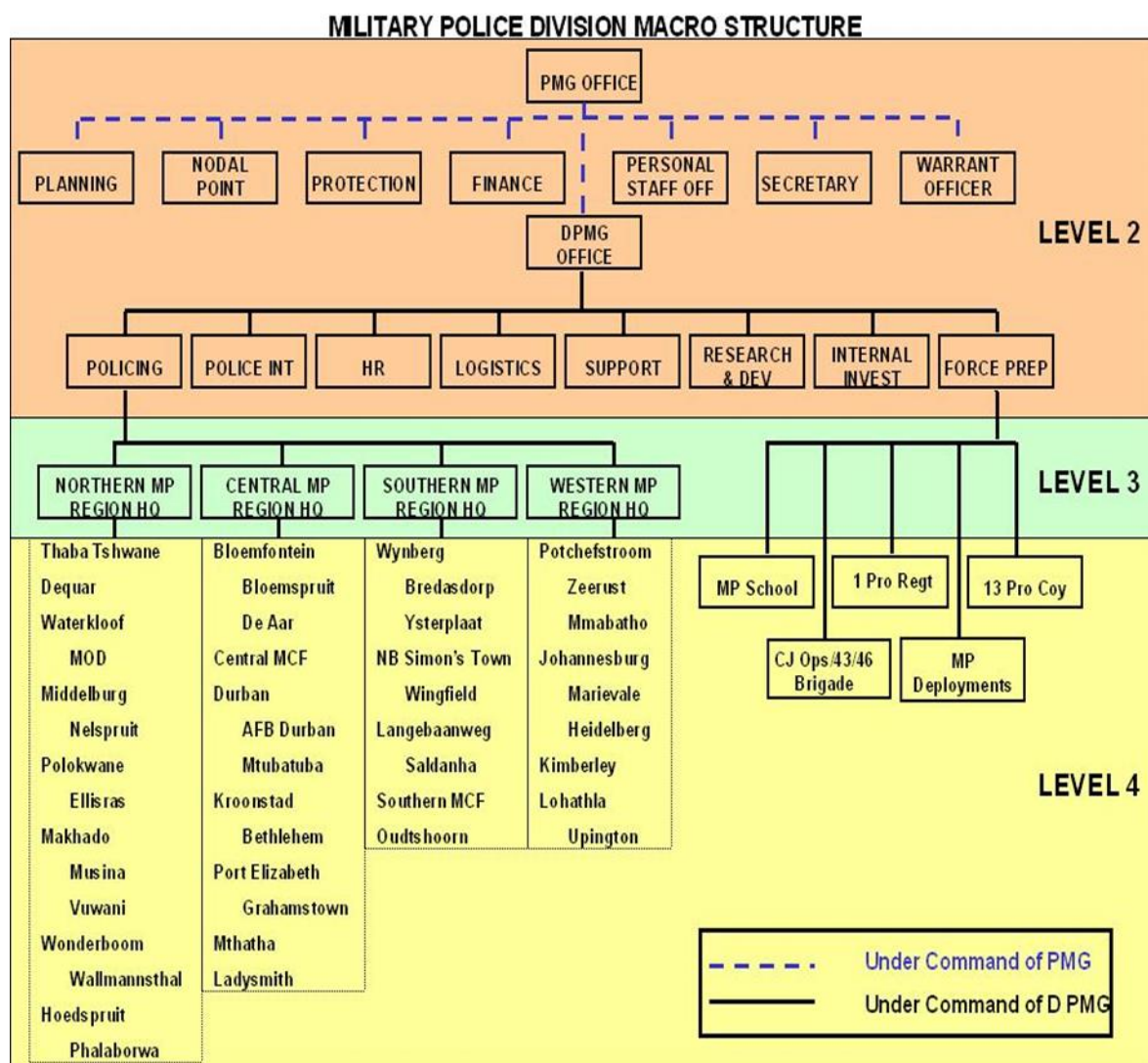


Table 4.1: Macro-structure of the MPD (DOD Annual Report FY2008/09, 2009:69).

The mission of the MPD is to support the DOD by providing them with well-trained MPOs capable of conducting policing operations in cooperation with other divisions and services. The vision of the MPD is to be the best division within the SANDF by providing excellent policing capability. All MPOs are appointed by the Chief of the Defence Force or any person delegated by him, according to section 30 (1) of the Defence Act (Act 42 of 2002).

#### 4.3.1.1 Functions of the Military Police Division

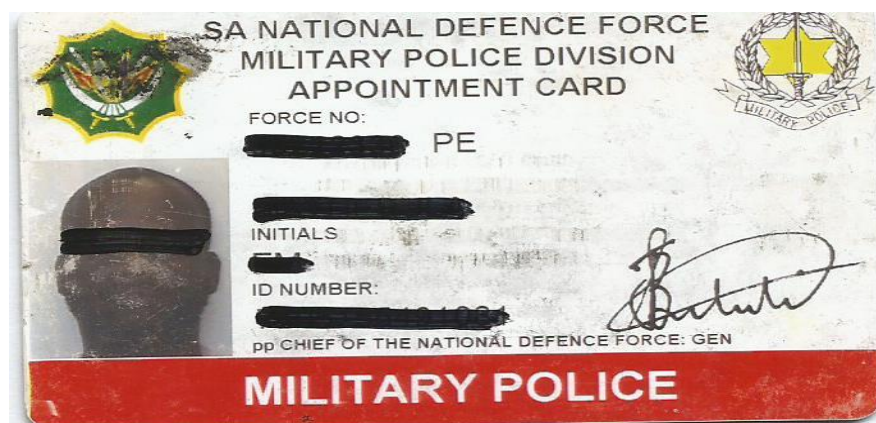
The Defence Act (section 31(1)) states that the primary function of the MP is the prevention of crime, and the secondary function is the investigation of crime (See 1.3, para 5). According to Litchfield-Tshabalala (2004:60), the functions of the MPD can be further unpacked as follows: General Police Duties (GMPD) which encompass the investigation of crime (including the Special Investigation Branch), crime intelligence (MP Intelligence), crime prevention, traffic control (which entails ceremonial duties, escorting of both convoys and other VIPs as well as traffic regulations), and the management of correctional facilities. However, during an interview with a Senior MPD member on 10 October 2016 (Interview No. 20, 2016c), he mentioned that it is imperative for the MPD to have an updated crime prevention strategy to enable them to fulfil their primary role of preventing crime effectively.

In the performance of the above-mentioned duties in the DOD/SANDF, MPOs are equated with their counterpart, namely the SAPS members. They also have the same indemnities which are entitled to any member of the SAPS when exercising their duties (Defence Act 42 of 2002, Section 31 (1) (c)). The DOD/SANDF's primary social establishment responsible for crime prevention activities, programmes and strategies within the organisation is the MP. Therefore, in a broader sense, crime prevention can be defined as strategies or methods used by either individuals, the community or the MP to curb and control any criminal behaviour which may result in victimisation (MPI 12/00, 2014:11). According to section 30 (2) of the Defence Act (Act 42 of 2002), all appointed members of the MP are to carry an Identification Card (ID) whenever they are on duty (Figure 4.2).

The issuing of MP identification cards to members of the MPD was necessitated by the rise in crimes by other members of the SANDF under the false pretence of being members of the MPD (MPI 21/00, 2014:1). The MPD members are able to identify themselves when executing policing tasks, however; the ID can be produced on demand (MPI 21/00, 2014:2). Furthermore, not all MPD

members are issued with the MPD identification cards but only those members that have done and completed the MP Individual training or any other equivalent courses (MPI 21/00, 2014:2). There are certain circumstances whereby the MPD identification cards must be returned to the various relevant Regional Headquarters such as when a member is under investigation, whether for a criminal or serious disciplinary matter. Such a member will not be allowed to carry out any policing functions until the matter under investigation has been finalised (MPI 21/00, 2014:4).

The MPD identification card should also be returned in cases where members of the Reserve Force have completed their call-up period in the SANDF. Members of the MPD that are no longer utilised in any functional policing tasks, have to return their MPD identification cards (MPI 21/00, 2014:4). To ensure that the MP identification cards are properly managed, RPMs, RWOs and independent OCs must ensure that monthly inspections are conducted. There are also instances where MPD identification cards can be withdrawn such as when a member resigns from the permanent force and prefers not to join the Reserve Force. It is also withdrawn when a member dies or when discharged from the SANDF.





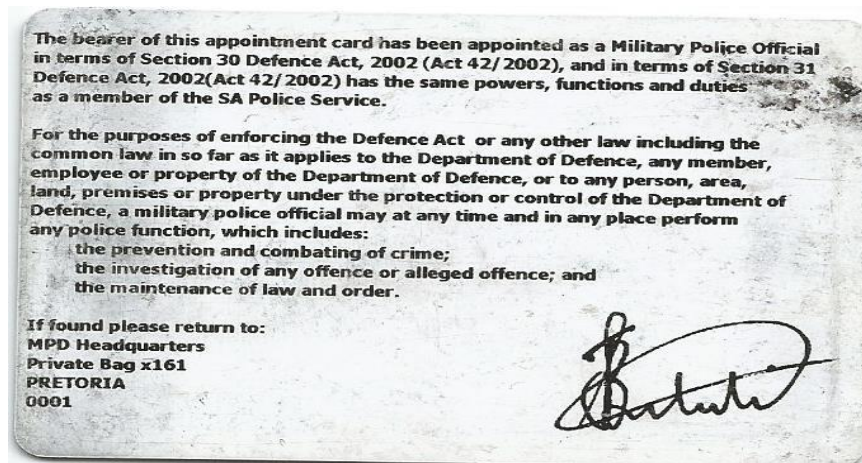


Figure 4.2: Military Police Division Appointment card front and rear side  
(Military Police Instruction 21/00, 2014:A1)

The policing component of the DOD, namely the MPD, has made some progress in performing a crucial service of combating crime by conducting high visibility policing in the DOD. According to the White Paper on Defence for the RSA (1996:7), the primary function of the SANDF is to defend SA against external military aggression. The deployment of members of the defence force in internal policing capacity shall therefore be granted only in exceptional situations, provided it is approved by Parliament.

During the Financial Year (FY) 2013/14, emphasis was placed on the Thaba Tshwane area through the involvement of the community and high visibility policing, but the escalation in crime levels reported to the MP remains a concern as it suggests that there is still much to be done (DOD Annual Report FY2013/14, 2014:16). A total of 1968 cases were reported to the MP during the FY 2013/14. This contributed to major losses to the DOD. Crimes that are still a serious challenge in the SANDF according to the DOD Annual Report for FY2014/15 (2015:146), are mainly the following in order of priority: theft and burglary, assault, reckless and negligent driving, malicious damage to property, fraud, *crimen-injuria*, intimidation/ threatening others, insubordination and insulting language.

Crime awareness campaigns are one of the methods that can be employed to help reduce crime in places such as Thaba Tshwane and other areas within the DOD. Awareness campaigns conducted by the media help to inform community members about various crime prevention programmes that will take place (Morgan, Boxall, Lindeman & Anderson, [sa]:40).

#### 4.3.1.2 General military police duties (GMPD)

The General Military Police Duties (GMPD) section consists of a number of subsections such as the Client Service Centre (CSC), Archives, docket administration, traffic and the detention barracks (MPI No. 07/99, 2014:2). The MP CSC is regarded as the power engine of any MP station since it is where complaints are reported and registered. Most policing registers are also handled and kept in the CSC. The CSC conducts crime prevention activities within their areas of responsibility. Within the CSC there is a traffic section which provides the following services: functional escort duties, ceremonial escorts, regulating of traffic through parking and point duties, as well as traffic law enforcement (MPI No. 07/99, 2014:2).

The CSC also controls the Unit's holding cells and conducts the recruitment of informers (MP Instruction Number 07/99, 2014:6). Members that are kept in the MCF are those that have been found guilty and sentenced by either the CMJ or the Court of Senior Military Judge (CSMJ). After the confirmation of their sentences, they are then transferred to the MCF, either in Bloemfontein or in Wynberg in the Western Cape (MPAI 07/1999:61). Holding cells are used to keep arrested members of the SANDF overnight or for a couple of days, pending their authority to be transferred to a MCF. Therefore, the CSC is the backbone of any military police station.

The GMPD section provides the following functions, according to MPI 07/99 (2014:6):

1. It provides information and handle complaints since it operates for 24 hours, seven days a week;
2. It conducts crime prevention around the area of responsibility;
3. It conducts preliminary investigations once complaints are received and crime reported;
4. The control and management of holding cells; and the recruitment of informers.

It also provides traffic services within their area of responsibility which entails the following: functional escorts; ceremonial escorts; convoy escorts; traffic control in the form of point duties; and traffic law enforcement. For instance, the MPD was requested to provide escort services by various Services and Divisions within the SANDF. They also provided escort services and security to VIPs during the African Cup of Nations (DOD Annual Report FY12/13, 2013:96).

In order to make it easier to report crime within the SANDF without any fear of being victimised, the MPD established a toll free crime line. This toll free crime line provides the MPD with valuable information about crime that has either been committed or that is about to be committed (MPI No. 26/01, 2014:1). TTMP station is used as a nodal point for all calls that comes from cellular-phones and the receiver redirects them to the relevant area office (MPI No. 26/01, 2014:1). The calls of those that lodge their complaints via a Telkom land line, go directly to the nearest MP station. However, the researcher dialled the toll free number **0800 222 091** from his cellular phone for three consecutive days (08 March, 09 March & 10 March 2018) without it being answered.

#### 4.3.1.3 Military Police Intelligence

The MP Intelligence section was established on 1 April 1999. The major purpose of this section is to gather crime related information by using intelligence methods. Following the restructuring of the MPD in 2006, the

functions of the MP Intelligence were reviewed and then included data management, analysis capabilities and to provide guidance to crime prevention operations and investigation through information gathered by means of intelligence methods. This statement is corroborated by Litchfield-Tshabalala (2004:68) as she states that the MP Intelligence section is utilised to furnish those that are involved in crime prevention operations with valuable reports that enable them to plan their crime prevention activities effectively.

The Defence Intelligence derives its roles and functions from the Constitution of the RSA (1996). According to section 31 of the Defence Act (Act 42 of 2002), Section 3 of the National Strategic Intelligence Act (Act 39 of 1994), as substituted by the National Strategic Act (Act 37 of 1998) section 3 (a), states that the gathering of data, correlation, evaluation and the utilisation of crime intelligence in support of the SAPS as mentioned in section 205 (3) of the RSA (1996) is the function of the SAPS. However, the Constitution of the RSA (1996), section 209(1) legislates the formation and control of intelligence service community and is also applicable to the MPD. The role of the MP Intelligence, as mentioned in the MPAI 05/99 (2003), is to support the MPD investigation and crime prevention with information.

The MPD has the authority to investigate any type of crime that occurs within the DOD (See 4.3.1.1, para 2), therefore according to the MPAI 05/99 (2003), the MPD may also collect and collate crime related information using their intelligence expertise. However, according to the same MPAI 05/99 (2003), the MP Intelligence is not authorised to gather any information on either foreign or domestic military intelligence. They are also not authorised to set up a counter intelligence operation within the DOD. This is because it remains precisely the function of DI. Unfortunately, the MPAI 05/99 (2003) is classified as “secret” and the researcher was not given the authority to use it, except for the little information that is published on the MPD intranet page.

The crime intelligence of the MPD, known as the MP Intelligence, is situated at the MPD Headquarters in Pretoria and at all four regional headquarters. It is

utilised to assist in crime prevention pertaining to the gathering of information about crime trends and crime problem areas. Another method used by the crime intelligence section is to study all the cases reported to the MPD in order to identify a certain crime pattern (MPI 12/00, 2014:37). The above statement is corroborated by Litchfield-Tshabalala (2004:68) that the MP Intelligence provides valuable information, such as intelligence reports that can be used in both crime prevention and investigation.

The major focus of the MP Intelligence is to pay attention to the following strategic areas within the MPD to ensure that (MPAI 05/99, 2003):

1. The achievements of Police intelligence are effective, efficient and economical as stated in the PFMA (Act No. 1 of 1999);
2. The collection of information must be based on evidence that can be produced in court;
3. All the police activities and exercises are intelligence directed; and
4. Crime hotspots areas are decreased as they may be identified through crime analysis.

The MP Intelligence initiated a mechanism where members of the DOD can report crime anonymously through a system called “click and tell”. It is a system which can only be accessed through the DOD internal communication tool called the intranet. The intranet is an internal communication tool where all Services and Divisions have their own pages. However, “Click and tell” can only be accessed on the MPD page. Moreover, not every member of the MPD has access to the information from complainants since it is managed by a dedicated member of the MP Intelligence in Pretoria.

In other words, the system is centralised and thus makes its monitoring easier. This also makes it easier to treat information with the utmost confidentiality it deserves. DOD members are at liberty to report any crime without any fear of

being victimised since they remain anonymous. Moreover, members of the MP Intelligence always keep complainants informed if they wish to be informed about the progress of their complaints until everything is finalised. The “click and tell” system is commonly known as “whistle blowing”.

#### 4.3.1.4 The Special Investigation Branch

Within the four MP Regions, there are Special Investigation Branches (SIB). All SIB section heads report directly to their respective RPM. According to the MPI 04/99 (2014:1), the main role of the SIB is to investigate specialist investigations but up to a certain level. The SIB, according to the MPI 04/99 (2014:3), investigates cases such as economic crimes which involve fraud, theft of motor vehicles, narcotics, theft of firearms, and sexual offences which can only be investigated by trained personnel or be referred to the SAPS.

#### 4.3.1.5 Military Police Force Employment Section

The MPD provides combat support both internal and external. Externally they provide MPOs to the Peace-keeping Missions in countries such as the DRC and Sudan at the moment and internally, they deploy MPOs to the borders of the RSA to various exercises, operations and exhibitions around SA. Therefore, this section is responsible for the combat readiness of all the MPOs within SA. They ensure that they are physically and medically fit to be deployed at any given time. These members are deployed to maintain law and order and moreover to maintain military discipline amongst the deployed forces, meaning they police the deployed soldiers by preventing them from taking part in any criminal activities. A total number of 120 MPOs were deployed to safeguard the borders of SA during the FY2012/13, as stated in the DOD Annual Report FY2012/13 (2013:96).

There is a MPD unit that deals mainly with deployments (both internally and externally) and it is called 13 Combat Ready Provost Company and is situated in Thaba Tshwane. However, when they are not deployed; they do continuous

training to refresh their memories and stay fit. They also assist in capacitating TTMP by providing both human resources and other resources such as vehicles to perform real time policing. This happens especially during the festive holidays when the commander of 13 Combat Ready Provost Company is required to present his plan for support to the TTMP. 13 Combat Ready Provost Company has specialist equipment that they use when performing their duties, so they are also asked from time to time to exhibit at the Rand Easter Show, the Africa Aerospace on Defence, the Armed Forces Day and other exhibitions. The MPD also took part at the Africa Aerospace and Defence exhibition which was held at Ysterplaat Air-Force Base in September 2010 (DOD Annual Report FY2010/11, 2011:93).

#### 4.3.1.6 Internal Military Police Investigation Section

The Internal MP Investigation section came to being after the structuring of the MPA (now MPD). Furthermore, the establishment of this section was necessitated by the existence of crime within the MPA such as corruption, fraud and other forms of serious crimes (MPAI 15/00, 2006:7). Members of this section are authorised to investigate any allegations against members of the MPA and also to gather information against such members (MPAI 15/00, 2006:8). The main functions of the Internal MP Investigation section are to investigate any allegations pertaining to fraud, corruption and any other criminal offences against serving members of the MPA. It also involves the gathering of statistics of crimes and offences committed by any serving member of the MPA (MPAI 15/00, 2006:10).

However, the Internal MP Investigation section is not authorised to investigate any of the following offences since they can only be investigated by the SIB, Area Office General Police Investigation members (MPAI 15/00, 2006:10):

1. Section 14 of the Military Disciplinary Code (Absent Without Leave);

2. Section 33 of the Military Disciplinary Code (Drunkenness);
3. Misconduct by MPA members (any serious offence has to be discussed with the Chief of the MPA);
4. Section 19 of the Military Disciplinary Code which is the Disobedience of lawful commands (any serious offence has to be discussed with the Chief of the MPA);
5. Misuse of military vehicles (any serious offence has to be discussed with the Chief of the MPA);
6. Alleged commission of less serious criminal offences (criminal offences to be discussed with the Chief of the MPA);
7. Any other military disciplinary offences; and
8. Boards of Inquiry.

This section is centralised at the MPD Headquarters in Pretoria hence they investigate MPOs all over SA. It is one of the smallest sections of the MPD.

#### **4.3.2 Defence Intelligence**

Intelligence can be attributed to a creation emanating from the gathering, evaluation, analysis, integration and interpretation of all available data which support the decision-making process and policy regarding national goals of stability, security and development (White Paper on Intelligence, 1995). The White Paper on Intelligence (1995) further states that there are numerous types of intelligence, such as political intelligence, economic intelligence, technological and scientific intelligence, military intelligence, criminal intelligence and counter intelligence. Each of these is identified by the manner in which information is collected and processed.

Covert and overt methods may be used to collect information from a variety of sources, which can be either human or non-human, whether open source or secret. SA security services consist of a single defence, single police service



and intelligence services which were formed in terms of section 199 (1) of the Constitution of the RSA (1996). These security services include the SAPS, National Intelligence Agency (NIA), the SA Secret Service (SASS) and the SANDF, who all agreed to work together to fight crime within the RSA.

Intelligence services are provided to the SANDF operations in cooperation with the SAPS, with emphasis on the type of intelligence that gives security forces the liberty to take action against any individuals and groups who encourage crime and violence (NCPS, 1996). Domestically, there are priorities that require immediate interventions. These priorities include the identification of smuggling networks and areas where illegal weapons are sold and to acquire any required information necessary for the SAPS to investigate and successfully prosecute transgressors (NCPS, 1996).

The Intelligence Division within the SANDF is an intelligence entity authorised to gather, evaluate, correlate and use foreign military intelligence and supply foreign military intelligence relating to national strategies intelligence to the National Strategic Intelligence Coordinating Committee (NICOC). The Defence Act (Act 42 of 2002) defines in section 32(b) the Intelligence Division as the intelligence division of the Defence Force. However, according to the National Strategic Intelligence Act (Act 39 of 1994), it is the function of the SAPS to gather, correlate, evaluate and use crime intelligence in support of the objects of the SAPS as mentioned in section 205 (3) of the Constitution of the RSA (1996). The National Strategic Intelligence Act (Act 39 of 1994) (as amended by National Strategic Act 37 of 1998) defines crime intelligence as the type of intelligence used in the prevention of crime or when conducting criminal investigations, preparing evidence for the purpose of law enforcement and to prosecute offenders.

The National Defence Force is not authorised to collect any information of a non-military nature by employing covert methods (National Strategic Intelligence Act 39 of 1994 as amended by National Strategic Act 37 of 1998). In Brazil, the term “police intelligence” was replaced by “criminal intelligence”

because not only the police make use of this activity. Institutions such as the Army, Municipal Security Forces and Public Ministry (Attorney-General) also make use of this activity in Brazil (Mingardi, 2007:52). In SA there are entities authorised to perform the intelligence functions, as opposed to Brazil.

In the DOD Intelligence Division, there is also an entity called Counter Intelligence (CI). This entity is charged with the responsibility of ensuring proper prevention of loss of defence assets as a result of theft or any other method. CI functions are performed by unit military security officers (UMSOs), which are appointed by various chiefs of services and divisions to execute their functions on behalf of their respective officers commanding (OCs) at various levels within the DOD (DOD Instruction Number 00012/2004, 2013:6). UMSOs play a pivotal role in the implementation of situational crime prevention measures within military units that make committing crime difficult.

The UMSOs advise their OCs to strengthen security measures by installing closed-circuit television (CCTV), alarm systems, fences, security locks or safes (DOD Instruction Number 00012/2004, 2013:5-1). They are also responsible for the management of proper access control at their respective military units, for example contractors are to be assigned a guard to escort them throughout their stay at the military Unit. To prevent theft of DOD property, all people entering a military Unit are thoroughly searched (DOD Instruction Number 00012/2004, 2013:5-4).

#### **4.3.3 Department of Defence Inspector-General**

The role of the Defence Inspectorate to conduct its functions is derived from the following regulatory frameworks: for Inspections the Defence Act (Act 42 of 2002 as amended); for Internal Audit the Public Finance Management Act (PFMA) (1 of 1999 as amended) and the National Treasury Regulations and for Anti-Corruption and Anti-Fraud Services the Prevention and Combating of Corruption Activities Act (Act 12 of 2004). The Inspector-General (IG) in the DOD is responsible for establishing an internal audit system and for anti-fraud

and corruption in the DOD (DOD Instruction IG/00002/2001, 2005:4). According to the DOD Annual Report FY2016/17 (2017:158), the Directorate Anti-Corruption and Anti-Fraud (DACAF) serves as a nodal point for all forensic audits within the DOD.

Each arm of service has its own Inspector-General who is part of the Defence Inspectorate Division; and each one is responsible for his/ her own services. Their task is to assist in the prevention, detection and the subsequent investigation of alleged cases of fraud and corruption (DOD Instruction IG/00002/2001, 2005:4). The Anti-Corruption and Fraud Prevention Plan was intended to form an entire integrated approach aimed at combating fraud and corruption in the DOD. Furthermore, in an endeavour to combat and prevent fraud and corruption in the DOD, both preventative and combative strategies were required to consolidate the regulatory capabilities of the DOD (DOD Annual Report FY2012/13, 2013:110).

The DACAF established a nodal point forum for the DOD Anti-Corruption and Anti-Fraud and placed it under the authority of the DOD IG. DACAF's role is to furnish anti-corruption and fraud prevention services, and it is also the nodal point for forensic auditing to the DOD. The forum is responsible for dealing with fraud and corruption-related matters within the DOD (DOD Annual Report FY2012/13, 2013:57). The various chiefs of services and divisions of the DOD constitute the members of the forum. The Directorate also started a rollout of an education campaign within the DOD, where members were educated about the prevention of fraud and corruption. In the FY2016/17 DACAF provided a detection investigation service to the DOD and also conducted fraud and corruption education programmes within the DOD (DOD Annual Report FY2016/17, 2017:158).

The Defence Inspectorate Division does not deal only with the prevention of fraud and corruption in the DOD, but since it is a multi-functional division, it also deals with internal audits/inspections on performance management and compliance closing down audits on surplus. The Directorate also conducts anti-

fraud and anti-corruption awareness and perception surveys within the DOD (DOD Annual Report FY2012/13, 2013:96). The main role player in the fight against fraud and corruption in the DOD is the Directorate Anti-fraud and Anti-Corruption. During the 2005/2006 financial year, a total of 145 cases of fraud and corruption were reported; 45 of those were audited and handed over to the MPA (now MPD) and the National Prosecuting Authority (NPA) for prosecution (DOD Annual Report FY2005/06, 2006:71).

In a media statement issued by the SANDF on 2 August 2016, three suspects were arrested in Potchefstroom on allegations of fraud and corruption by members of the MPD after a lengthy investigation. The alleged crimes of fraud and corruption were committed in 2008 at the Army Support Base (ASB) Potchefstroom, which resulted in the arrest of two civilians and a senior member of the SANDF (Mabanga, 2016). The suspects appeared briefly in the Pretoria Commercial Crimes Court on 2 August 2016 and were released on bail. The deduction is that the DOD IG and the MPD work together to prevent the spike of fraud and corruption in the SANDF.

#### **4.3.4 Department of Defence Anti-Criminality**

The DOD in its endeavour to prevent crime decided to make this matter a management and command function at all levels by including it in the performance agreements and management directives of all commanders and managers (DOD Annual Report FY2010/11, 2011:136). It was also decided that anti-criminality should be a standing agenda point for all management and command meetings in the DOD. The reason was that it would serve as crime awareness to all members (DOD Annual Report FY2010/11, 2011:136). The mission of the DOD Anti-Criminality Strategy is to provide effective, efficient and economic anti-criminality management direction to the DOD (The DOD Anti-Criminality Strategy of 2007). Its vision is zero tolerance of criminality in the DOD.

The MPD is the nodal point of the DOD Anti-Criminality Section. In ensuring that the members receive proper training, therefore, the MPD as the nodal point on anti-criminality decided to involve the DI to assist in creating a training programme which would particularly be able to manage crime in the DOD (DOD Annual Report FY2010/11, 2011:136). During the maiden anti-criminality conference in November 2007, Mr. Mluleki George (former Deputy Minister of Defence) reiterated that criminality and criminal activities are not only hurtful, but they also undermine the hard-earned democracy and thus make service delivery to the people of SA cumbersome (Rakoma, 2008:16). The current section head of the Anti-Criminality section is Colonel Ndimande who succeeded Col Scholtz, both members are qualified MP Officers reporting directly to the PMG. Colonel Ndimande's office is at the MPD Level-3 Headquarters in Pretoria (Defence Headquarters).

During the 2010/11 FY (2011:136) the anti-criminality representatives from the various Services and Divisions were trained how to conduct crime risk surveys. This was done in order to strengthen the security measures where there were gaps at their units within the DOD. Organised and violent crime threaten the functioning of State institutions, as well as the legitimacy and integrity of the State. Crime impairs development and social cohesion (SA Defence Review 2015, 2015:2-28). It becomes difficult to remove crime once it is embedded as a result of being ignored for a long period of time. Therefore, a wide range of interventions from the social development and security sectors is required, particularly from the Defence Force, the Police Service and other government sectors (SA Defence Review 2015, 2015:2–28).

There are some instances where the MPD works together with DI to prevent and investigate crime. This is corroborated by the media statement issued by the DOD on 7 July 2016 through the head of communications, who announced that a senior member (Brigadier General) of the SANDF was arrested on alleged charges of fraud and corruption. His arrest came as a result of a lengthy investigation that was conducted by both the MPD and DI (Pretorius, 2016). Also in the year 2016, 27 members of the SANDF were charged for committing

fraud and corruption in Limpopo, Polokwane to be precise. To allow further investigation to flow without any interruptions, the Chief of the SANDF decided to place all these members on special leave. According to Brigadier General Mabanga, 19 of them were uniform members and the rest were civilian members. He thanked the Hawks (Directorate for Priority Crimes) for their assistance during the investigation (Phaliso, 2016). According to Brigadier General Mabanga as cited by Phaliso (2016), these arrests emanate from an investigation between the MPD and the DI, assisted by the Hawks (Directorate for Priority Crimes).

Among all the crime fighters in the SANDF, namely the MPD, IG DOD, Defence Intelligence and the DOD Anti-Criminality section, the MPD is the only component with a clear crime prevention role. The MPD's role in the SANDF is crime prevention and crime investigation, while the other components render support to the MPD. However, most members that form part of the Anti-Criminality Forum are those responsible for security within their respective Services and Division, mainly the Unit Military Security Officers (UMSOs). Most of them belong to the Corps of Intelligence. The various UMSOs report to their OCs, the OCs report to their respective GOCs, and the GOCs report to their respective Chiefs of Service and Division. Representatives of all the Service and Division meet once a month to give full reports on their unit status as far as crime is concerned so that they are advised on how to address such issues.

#### **4.4 A CRITICAL ANALYSIS OF THE MILITARY POLICE DIVISION STRUCTURE**

The head of the SA Military Police Division is called the PMG. His rank as a Brigadier General is the highest rank within the MPD in SA. This position is equivalent to the National Police Commissioner (NPC) of the SAPS; the only difference is the rank structures of the two law enforcement agencies. Both positions in the SAPS and the SANDF are generally occupied by individuals who are not career policemen with knowledge of policing but are mainly political appointments. However, in the MPD the appointed individual can come from

any arm of service within the SANDF as long as they are qualified, unlike the SAPS where even a civilian person can be appointed.

The MPD has four levels (Table 5.1). At level two, the PMG, Deputy Provost Marshal General (DPMG) and other members of the top management of the Division is where they operate from. Level three is where all four Regional Headquarters operate and level four is where all the MPD Units and Detachments operate. The researcher has been in the MPD for 20 years, and has first-hand information, especially on the MPD structural challenges which has a direct negative impact on the MPD operations. It is mentioned in the DOD Annual Report FY2010/11 (2011:92) that the MPD achieved most of its objectives regardless of both structural challenges and budgetary constraints.

Since 1999, after the amalgamation of the various Military Police from the other arms of service, namely the SA Navy, SA Army and the SA Air-Force, the DPMG has had the rank of a full Colonel and a career Military Policeman. The amalgamation was officially endorsed on 1 April 1999 and in 2009 the first group of MP from the SAMHS joined the MPD. There are various sections within the MPD that report directly to the PMG and others that report directly to the DPMG. Sections such as Policy, Strategy and Plan, Protection and Security, Finance, DOD Anti-Criminality and Research and Development report directly to the PMG. The rest of the sections, such as Police Intelligence, Internal Investigations, Force Employment, Human Resource, Logistics and Provost Services report directly to the DPMG.

There are four Regional Headquarters within the MPD and it is worth mentioning that they are not demarcated according to the nine provinces in SA. This presents a challenge on its own. All the Regions are headed by full Colonels/Captain (SAN) and they report directly to the Senior Staff Officer (SSO) in charge of the Provost Services, namely a full Colonel/Captain (SAN), when it comes to policing matters. This presents another challenge, because some of the RPMs are not completely comfortable to take orders or instructions from another full Colonel/Captain (SAN). However, all the RPMs have a direct

channel of communication to the PMG whenever the need arises or if their problems are not resolved by either the SSO Provost Services or the DPMG.

These (MP regions) are the NMPR with its headquarters in Pretoria (Thaba Tshwane) and which covers part of Gauteng, Mpumalanga and Limpopo provinces. The SMPR with its headquarters in Cape Town covers mainly the Western Cape Province, and the CMPR with its headquarters in Bloemfontein covers the Free State, part of KwaZulu-Natal and part of the Northern Cape provinces. The last region is the WMPR with its headquarters in Potchefstroom; which covers the North West province, part of Gauteng and part of the Northern Cape. These regions are not equal in size, as some are smaller than others and the largest is the NMPR. Within each Regional Headquarters, there is a section called the Special Investigation Branch (SIB). All the SIB section heads report directly to their respective RPMs within their regions (See 4.3.1.4, para 1).

Under the regions, there are Military Police Area Offices (MPAOs) or police stations in simple terms. Furthermore, under some of the MPAOs there are Military Police Detachments that are also called outposts. The MPAOs differ in size, for example, there are large, medium and smaller stations. The larger ones comprise of all the various sections, such as the GMPD, Investigations, Traffic and Detention Barracks (DB), to name a few. There are only two large stations in SA, namely the Bloemfontein and Wynberg MPAOs. These MPAOs are commanded by Lieutenant Colonels. The medium stations comprise all the sections that are found within a large station, except the DB Section, and these are commanded by Majors or Captains. The Detachments are normally manned by ten or fewer members, such as the Nelspruit MP Detachment, and most often are commanded by either a Warrant Officer, Lieutenant or a Staff Sergeant. For example, the commander of the Nelspruit MP Detachment reports to the commander of Middelburg MPAO, who is a Captain.

The Provost Services Section is actually the cornerstone of the MPD because they deal directly with policing issues. There are sub-sections under the Provost



Services Section. These include Investigations, Crime Prevention, Ceremonial Services, GMPD, Monitoring and the Crime Administration System (CAS) section. The CAS is the system used by the SAPS to register their cases and the MPD is also connected to that system. The CAS grants members of the MPD access to their cases wherever they are in SA, whether at a MP Station or any SAPS station. According to Rasool (2011), the SAPS was supposed to install and implement a new system called the Integrated Case Docket Management System (ICDMS) in 2011. He adds that the implementation of the ICDMS was supposed to start with 20 priority police stations in the year 2012 and later be escalated to 40 police stations by the year 2014.

Modise (2013) points out that the ICDMS was implemented at 79 police stations around SA by the year 2013. The ICDMS replaces the CAS, moreover it is a system which provides both police officers and detectives the liberty to create e-dockets which are connected directly to courts. According to Staff Writer (2017), the ICDMS is aimed at decreasing the number of dockets that go missing without a trace from the hands of police officers and detectives Rasool (2011) also states that the ICDMS is an integrated system which will be linked to other departments such as the National Prosecution Authority (NPA), Correctional Services as well as to other departments that are within the SAPS cluster. However, according to the SAPS spokesperson Vishnu Naidoo, the process of installing and implementing the ICDMS was still underway (Writer, 2017). It is also worth mentioning that the MPD has not yet migrated to the new system hence they are still using the CAS.

The Monitoring section is responsible for the monitoring of all the MPAOs through evaluations. Sometimes some of these areas offices do not adhere to instructions and policies or they underperform. Subsequently, guidelines are issued and sometimes that particular commander is brought on office orders before SSO Provost Services to be reprimanded. The monitoring section is currently not functional since it is understaffed. However, MPOs are supposed to undergo impost training (commonly known as in-service training) within their various sections so that they keep abreast of new developments. The Research

and Development section of the MPD reports directly to the Provost Marshal General and it does not focus on the academic research field at all, but focuses instead only on researching about the latest equipment available on the market, especially those related to policing.

The academic aspect is therefore stagnant and the current policies and MPAs are old and outdated. They are supposed to be reviewed annually but that is not happening. The establishment of an Academic Research and Development section could be instrumental in reviewing MPD policies, instructions and other policing related documents so that they remain relevant and up to date. Moreover, it could assist in drafting a new and functioning crime prevention strategy for the MPD since the current one is outdated (See 4.3.1.1, para 1).

The MPI 07/99 which was reviewed in the year 2006 and the latest review took place in 2014 can serve as an example. This is also the case in the MPAI 12/00 which was first endorsed in the year 2001 and it has been reviewed only once in 2014, but the information remains the same as only the first few pages with signatures were changed and the content is still outdated. The above statement is further corroborated by Buhali, as cited in Martin (2017) in which he mentions that the Military Detention Facilities Regulations were reviewed in 2015 for the first time by the MPD since it was endorsed initially in 1961.

Crime is dynamic and therefore the methods of fighting and preventing crime should be in line with the current trends. This presupposes that instructions and policies aimed at educating people about crime must be revised and changed so that they are in line with the current crime trends and *modus operandi*. The Research and Development Section is commanded by a Lieutenant Colonel since it is the smallest section within the MPD.

Members of the MPD are also involved in Operations and other Military exercises, both in SA and elsewhere in Africa (Martin, 2013). The Force Employment Section is the section responsible for the deployment of MPD members. This section is not only responsible for Operations and Exercises but

also for military courses in SA and abroad. They ensure that MPD members are always combat-ready, both physically and on operational skills before they can be considered for deployment (See 4.3.1.5, para 1). There are currently members doing border patrols and others who are part of the Peace-Keeping Mission in the DRC. The deployment of forces both internally and externally leaves a huge lacuna at the MP stations in terms of human resources. The head of this section is a full Colonel.

To ensure that the chiefs within the SANDF are protected, the Protection and Security Section is responsible for the training and the dissemination of VIP protectors to the various chiefs, or where required. This section is also one of the smallest sections within the MPD as they are more of a nodal point for the VIP protectors since they facilitate only functions such as training and the distribution of the members to the various internal departments. They are also responsible to conduct security risk surveys within the DOD on request by the various Chiefs of Services and Divisions.

The security risk surveys which are conducted by the various Services and Divisions through the assistance of this section help to devise proactive measures aimed at preventing crime within the SANDF (DOD Annual Report FY2007/08, 2008:74). The head of this section is a full Colonel. The Protection and Security Section is also responsible for facilitating anti-criminality training to representatives from various Services and Divisions. They conduct surveys at specific military structures to highlight challenges with regard to facilities, perimeter fencing, CCTV cameras, and all other tools that can help in the prevention of crime.

Members of the MPD are not immune to crime, just like any other person or like their counterparts in the SAPS. The Independent Police Investigative Directorate (IPID) is the police watchdog and investigates cases that are committed by members of the SAPS, such as assault, harassment, misconduct and more. Within the MPD, there is a section called Internal Investigations that is similar to the IPID in that it investigates cases against members of the MPD.

It is also one of the smallest sections within the MPD commanded by a Lieutenant Colonel; with the task to investigate MPOs all over SA. This section is centralised in Pretoria and they travel from one region to another, doing investigations when necessary.

The Department of Defence Anti-Criminality Section was formerly called the Safeguarding Board resorting directly under the office of the chief of the SANDF and the MPD is currently the nodal point. Services and Divisional chiefs appoint representatives to report on their behalf about crime and crime trends within their various environments. All respective representatives from the Services and Divisions report to the Anti-Criminality forum which is hosted monthly by the MPD (See 4.3.4, para 1). The DOD Anti-Criminality Section is also responsible to ensure compliance by the Chiefs of Services and Divisions and other members with regard to the basic level of prevention of crime within their structures. It is also responsible for the provision of statistics and information to highlight the levels of criminality in certain structures within the DOD.

The MPD plays a crucial role in creating a crime-free environment with the assistance of the MP Intelligence Section (See 4.3.1.3, para 4), which is called Crime Intelligence in the SAPS context. This section was officially launched on 1 April 1999. The idea of the MP Intelligence was replicated from the SAPS Crime Intelligence Department, which derives its mandate from the Constitution of the RSA (108 of 1996). The MPD also derives its mandate from the same Constitution of the RSA (1996), section 209(1). However, it is not yet regulated in the Defence Act (Act 42 of 2002).

There are other sections within the MPD that are not directly involved in any policing activities, but only in support of the Division. Logistics is one such section that supplies the MPD with logistical supplies such as vehicles, clothes and any other materials that are required for the proper functioning of the MPD. Another section is the Military Policy, Strategy and Planning. This section is responsible for the development and updating of policies and strategies that are not necessarily related to policing. It is a section that is also responsible for

the consolidation of all statistics which are escalated to the higher headquarters. The MP statistics that appear in the DOD Annual Reports are consolidated by this section. They also provide strategic guidelines to all the sections within the MPD. The MPD personnel are about one thousand six hundred, including the supporting elements.

The MPD has its own Human Resource section which is responsible for amongst other things, the rejuvenation of the Division by recruiting young soldiers once they have completed Military Basic Training. However, their task in this regard has not been easy as a result of budgetary challenges. All MPD members that are operational received their basic military police training at the MP School which is situated in Pretoria, Thaba Tshwane, and it remains the only MP School in SA. The training provided at the MP School ranges from MP Basic Training, Crime Prevention (basic and advanced), Investigation of Crime (basic, intermediate and advanced), Combat Ready Phase one and two to motor cycle training and many more.

During an interview on 27 September 2016 with an NCO who is a member of the MPD working at TTMP, he said that the training is not adequate to enable them to prevent and combat crime, since it is outdated (Interview No 01, 2016a). However, the MP School provides training on a number of courses such as Crime Prevention, Crime Investigation, Combat Ready phase one and two and many more. Moreover, there are other courses which they attend at the various SAPS colleges around SA but not all members are afforded that opportunity (criterion based). They are also financed to do courses at tertiary institutions such as the University of SA (UNISA), Tshwane University of Technology (TUT) and other institutions that provide police training.

The training at the MP School is not only limited to SA citizens but also to other African nationals. During the FY2012/13, 14 members from the Mozambique Defence Force received training on advanced motorcycle skills at the MP School (DOD Annual Report FY2012/13, 2013:96). The calibre of training provided to the MPOs at the MP School enables them to manage any situation

that is law enforcement related at any given time (DOD Annual Report FY2012/13, 2013:96). According to Buhali, as cited in Martin (2017) numerous countries within the SADC region such as Nigeria, Mozambique, Botswana and Namibia became interested to be trained by the MPD after they have seen its performance.

As part of building *esprit de corps* amongst the various structures of the MPD, an annual prestige event is hosted where members take part in various sporting codes and 9mm pistol shooting is also one of the items at the event (Rakoma, 2017). Moreover, MPOs are the only ones authorised to use a 9mm pistol in the execution of their duties, namely being prevention and crime investigation amongst other tasks within the SANDF (MPI No. 14/00, 2014:1). They are issued with 9mm pistols when they are on duty so that they can perform their tasks. However, according to the MPI No. 14/00 (2014:1); MPOs who are regular force members must pass table seven (Table seven) during their respective monthly exercises organised by their various units. Those members who fail to achieve 70 percent during shooting exercises must undergo retraining and be allowed to shoot table seven until they pass. During training and retraining, a shooting simulator must be used as much as possible (MPI No. 14/00, 2014:5).

#### 4.5 SANDF CRIME STATISTICS

The undermentioned crime statistics (Table 4.2) reflect all the cases that were reported to the SANDF, MP Stations to be precise, from the year 2009/10 to 2012/13.

Offence	Reported	Referred to court	Conviction	Conviction rate
Attempted murder	14	11	3	21%
Common assault	614	423	128	21%
Assault grievous bodily harm	284	183	66	23%
Drug-related crime	57	45	25	44%
Aggravated robbery	45	18	5	11%
<b>Total</b>	<b>1014</b>	<b>680</b>	<b>227</b>	<b>22%</b>

Table 4.2: Serious Crimes reported between 2009/10 to 2012/13 in the Department of Defence (Maynier, 2013).

The above mentioned data was provided by the Minister of Defence and Military Veterans, Nosiviwe Mapisa Nqakula, as a reply to a Parliamentary question posed by Mr David Maynier from the DA. The DA felt that the information did not give a clear view regarding the levels of criminality occurring within the SANDF. Furthermore, the information did not include serious crimes such as murder, common robbery and various sex-related offences. According to Mr David Maynier, there are many members of the SANDF who are loyal, disciplined and professional; however, their efforts are hard done by the few elements of criminality within their ranks (Maynier, 2013).

According to SAPS statistics released in September 2012, SA saw a decline in serious crimes during the 2011/2012 financial year. The 3,5 per cent decrease was particularly on contact crimes such as murder, attempted murder, sexual offences, assault with the intent to do grievous bodily harm, aggravated robbery and common robbery (SA Year-book 2012/13, 2013:464). However, the 2016 crime statistics showed an increase in serious crimes in SA in which murder increased by 4,9 per cent compared to the previous year (Ethridge, Herman & Evans, 2016). The Head of the Institute for Security Studies (ISS), Dr. Burger, blamed the economy for its negative role in affecting SA social circumstances, which has prompted some to resort to crime (Ethridge, Herman & Evans, 2016). The researcher wanted to make use of the MPD crime statistics but the MPD management was unwilling to provide the researcher with the crime statistics (See Appendix F).

During an interview on 28 September 2016 in Pretoria (Centurion), a senior member of the MPD who requested to remain anonymous mentioned that robbery is a crime that is on the increase in Thaba Tshwane (Interview No. 06, 2016b). This officer asserted that some of the reasons for the high incidences of robbery in a place such as Thaba Tshwane is that there are not enough MPD members doing crime prevention on the ground. Moreover, the place itself has many hideouts due to long grass, tall trees and dilapidated buildings that have since been illegally occupied by some foreign nationals who are alleged to be the main crime suspects. She further said that there were numerous attempts

in Pretoria to evict these nationals but with no success. However, in Port Elizabeth a court interdict was issued to evict the foreign nationals who had illegally occupied SANDF properties.

The MPOs are trying their best to minimise the levels of crime in the SANDF. However, the biggest concern remains the high volume of crimes that are reported to the MP daily (See 4.3.1.1, para 6). Moreover, they cannot do it without the support of other structures within the organisation, including management at all levels. The structure of the MPD does not make it easier, considering that the strength of the SANDF is about 80,000 (excluding the reserve force members) members on the ground versus the approximately 1600 MPOs on the ground. The crime statistics also suggest that crime is really affecting the SANDF negatively, which could also indicate that the levels of discipline are on the decline.

#### **4.6 SUMMARY**

The SANDF was formed on 27 April 1994 after the establishment of a democratic SA. The SANDF's primary objective is to defend and protect the RSA, its territorial integrity and its people. The SAPS as the counterpart of the MPD has a direct role to prevent, fight and investigate crime, maintain public order, protect and secure the people of the RSA and their properties, and finally to uphold the law. The MPD is the main role player in the prevention of crime within the SANDF. The functions of the MPD are to prevent, combat and investigate crime, as well as to maintain law and order within the DOD.

The MP Intelligence section assists in crime prevention by providing valuable information such as intelligence reports to be used in the prevention and investigation of crime. The DI, with its entity called CI, plays a role in situational crime prevention by ensuring that criminals find it difficult to commit crime within the SANDF. The DOD IG's role in the prevention of fraud and corruption in the DOD is to provide an anti-fraud and anti-corruption strategy. The SANDF (in general) can assist the SAPS in crime prevention operations to prevent crime,



but this has to be authorised by Parliament and endorsed by the President of RSA.

## **CHAPTER 5: RESEARCH DESIGN AND METHODOLOGY**

### **5.1 INTRODUCTION**

There is a popular assumption that methodology refers to the various methods that are used to gather data for research studies, including interviews, focus groups, meetings, etcetera. The reality is that methodology refers to a collection of ideologies, theories or philosophies that surrounds, incorporates and literally draws together a research project. Cohen et al. as cited by (Carey, 2012:83) asserts that methodology helps researchers gain a comprehensive understanding of the process itself in the most extensive possible manner instead of only looking at the products of a scientific enquiry.

This chapter provides a concise but detailed overview of the methodology and research process involved in this research study. The discussion touches on aspects such as the research design, methods used to gather, analyse and interpret the data and strategies used to ensure the trustworthiness of the research. The chapter concludes with an overview of ethical considerations taken into account during the research study.

### **5.2 RESEARCH APPROACH**

According to Leedy and Ormrod (2013:146), there are five common qualitative designs and they are: a case study, ethnography, a phenomenological study, a grounded theory study and content analysis. Creswell (2014:6) highlights four worldviews, namely post-positivism, constructivism, and the transformative and pragmatic worldviews. A pragmatic research approach, as described by Creswell (2014:10), was used for this study.

The pragmatic research approach is applied worldwide and uses actions, situations and consequences as its point of departure rather than what existed before certain conditions, as in post-positivism. A pragmatic research approach utilises both qualitative and quantitative research to find solutions to specific

problems (Du Plooy-Cilliers, Davis & Bezuidenhout, 2014:78). A pragmatic research approach offers researchers a number of advantages. It provides researchers with flexibility when applying their investigative techniques in their quest to address a number of research questions in their study (Onwuegbuzie & Leech, 2007:383). Onwuegbuzie and Leech (2007:383) add that pragmatic research sometimes promotes collaboration among researchers, irrespective of philosophical orientation.

The pragmatic research approach provides the researcher with the following advantages (Creswell, 2014:10):

1. Pragmatic researchers have the autonomy to utilise any of the methods, techniques and procedures typically associated with quantitative or qualitative research that best suit their needs and intentions;
2. A pragmatic approach does not view the world as absolute;
3. It is not based on a duality of reality independent of the mind or within the mind;
4. Pragmatic researchers focus on the '*what and how*' of research based on the intended ramifications of where they intend to go with it;
5. Pragmatists concur with the fact that research always happens in social, historical, political, and other contexts;
6. Pragmatists believe in an external world independent of the mind as well as a world lodged in the mind; and
7. Pragmatists believe that we need to pose questions about reality and the laws of nature (Cherryholmes as cited in Creswell, 2014:11).

A pragmatic worldview was suitable for this study because pragmatists agree that research always occurs in social, historical, political and other contexts (Creswell, 2009:11). This belief is relevant to this study since the research

focuses on outcomes and on what works in order to address the research problem.

Qualitative research, as defined by Corbin and Strauss (2015:4), is a form of research in which the researcher or any other person designated to collect data, becomes as much a role player in the research process as the participants and the information they gather. Hancock (2002:1) asserts that qualitative research is a research strategy that seeks to escalate the understanding of why things are as they are in the social world and why people act in the manner they do. Grbich (2013:3) is of the view that qualitative research is interesting in that it gives comprehensive data and can advance knowledge in a number of areas.

Qualitative research can provide insight into people's individual experiences and can also assist to assess service allocation; and lastly, it can enable the observation or investigation of little-known behaviours, attitudes and values. Qualitative research employs an open and workable design and in doing so, makes sure that the probabilities of conception being studied thoroughly and carefully, are important (Corbin & Strauss, 2015:4).

The researcher used a qualitative research approach because the study asks a social question that focuses on the way people understand and make sense of their experiences and the universe in which they live. Furthermore, qualitative research is the best method to explore the behaviour, perspectives, opinions and experiences of people and what rests at the core of their lives. Leedy and Ormrod (2013:140) point out that it is an approach that is able to bring the following to the research: description, interpretation, verification and evaluation.

Description can reveal the nature of certain situations, relationships and people. Interpretation helps the researcher to gain new knowledge about a particular phenomenon and to discover the challenges that surround that phenomenon. Verification gives the researcher the opportunity to test the validity of certain assumptions, theories and claims. Evaluation provides a means by which the

researcher can judge the effectiveness of particular policies, innovations and practices (Leedy & Ormrod, 2013:140).

Hancock (2002:2) mentions the following characteristics of qualitative research:

1. Experiences, opinions and feelings of the individuals who will be participating in data gathering are major concerns in qualitative research;
2. Social phenomena are described as they naturally occur;
3. A holistic approach is used to gain an understanding of a situation;
4. An inductive approach is utilised to develop theories and concepts that help in the understanding of the social world;
5. Proposed theories are tested in qualitative research, which is why it is deductive by nature;
6. Any information that is gathered in a qualitative study is gathered directly from individual participants in the form of one-on-one interviews or group interviews or by observation;
7. The method of data collection can be lengthy and therefore time consuming;
8. Small samples are used to gather information in qualitative research since it takes much time to gather data if the group is big;
9. Various sampling techniques are used;
10. Information is sought from specific groups or subgroups in the population, particularly participants that are experts in the field;
11. The method used to evaluate the reliability and validity varies from those methods that are used in quantitative research;
12. The researcher is a primary instrument for data collection in qualitative research (Creswell, 2009:185); and

13. Multiple sources of data gathering, such as interviews, observations and documents are used rather than relying on a single source (Creswell, 2009:185).

The table below illustrates the advantages and disadvantages of qualitative research as stated in Carey (2012:32):

<b>Advantages</b>	<b>Disadvantages</b>
It helps to examine interpretations, lived experiences, environments and the manner which people live and work.	It sometimes creates a gap that makes it difficult to generalise due to the limited findings it provides.
It provides strong descriptive detail of people's attitudes and experiences in order to contextualise the place of the study.	Qualitative methods are directly affected by quantitative approaches, especially with regard to the manner in which qualitative researchers plan ahead, gather information and analyse to write up findings as part of a dissertation.
It accentuates flexibility, which includes a scope to modify research approaches as per the findings they establish.	Qualitative research methodology may still be as complicated as any quantitative survey since it utilises smaller samples, fewer interviews, resulting in less information.

Table 5.1: Advantages and disadvantages of qualitative research (Carey (2012:32).

The researcher opted to use qualitative research because it is flexible in the sense that the researcher does not become a spectator, but remains a role player in the research process, just like the rest of the participants. Moreover,

a pragmatic worldview suited this research study because pragmatists are of the view that research always takes place in specific social, historical and political contexts.

Members of the MPD were interviewed in their respective work environments on their personal experience and understanding of their organisation, the MPD. They were able to discuss a number of issues openly including the manner in which crime is treated within the organisation and also how crime prevention activities are conducted on a daily basis. They were comfortable to provide rich descriptive information on the organisation as a whole. The researcher probed the participants in order for them to provide rich information.

### **5.3 RESEARCH DESIGN**

A research design is defined as the plan used to obtain participants who will be used to gather data during the study (Welman, Kruger & Mitchel, 2005:52). The above definition is agreed upon by Maree who states that a research design can also be defined as a plan or strategy to select a specific group of participants who would provide the information needed during the study and the subsequent data analysis (Maree, 2007:70). In a research design, the researcher describes what he/she is going to do with the participants, with a view to reaching conclusions about the research problem (Welman et al., 2005:52).

The term “research design” is more often used in quantitative research than in qualitative research. In such cases it is utilised as the major instrument for planning research and ensuring the quality of its outcome (Flick, 2007:36). Flick (2007:36) further asserts that a research design is also utilised as a plan that is used for gathering and analysing evidence that will make it easier for the researcher to answer any question posed. A research design touches almost all aspects of the research, from the smallest details of data collection to the stage where the researcher decides on suitable techniques for data analysis

(Flick, 2007:36). This research adopted a qualitative research method, which fits well with the pragmatist worldview.

The pragmatist worldview provides researchers with the autonomy to choose. This implies that they can choose the types of techniques, methods and procedures to be applied in their research, and their choice is based on what best meets their needs and purposes for the intended research (Creswell, 2014:11). Creswell (2014:11) adds that pragmatists do not view the world as a complete entity, but they concentrate on the “what” and “how” of the intended research and the direction it has to take moving forward.

Pragmatists are also of the view that research does not occur in isolation, but in historical, political, social and other backgrounds (Creswell, 2014:11). Researchers want to understand the world in which they live and work (Creswell, 2013:24). Creswell (2013:24) further mentions that researchers rely on the participants’ views of the phenomena being studied. Open-ended questions are asked and the researcher listens attentively to what people say of their life surroundings. Qualitative researchers prefer to use open-ended questions because participants are then able to share their views. Creswell (2014:8) points out that human beings are able to construct meanings as they engage with the world they are interpreting.

On the one hand, open-ended questions are flexible in that participants are able to provide honest and comprehensive answers. Difficult questions can also be easily answered. On the other hand, open-ended-questions are not flexible when it comes to giving detail, as details vary from one participant to the other. The coding of such answers may be cumbersome and participants that are uneducated may find some questions difficult (Maree, 2007:161).

#### **5.4 RESEARCH POPULATION AND SAMPLING**

Population is defined as the total set of individuals or any other entity from among which the findings of the survey are generated. A sample is defined as



a subset of the population that is utilised to analyse the population as a whole (Laws, Harper, Jones & Marcus, 2013:180). There are two major classes to which sampling methods belong, namely probability and non-probability methods (Maree, 2007:172; Bailey, 2007:63).

Maree (2007:79) states that qualitative research mainly makes use of non-probability and purposive sampling as opposed to probability or random sampling approaches. Purposive sampling is also called judgemental sampling. Participants are chosen based on whatever makes them experts or the right people with the correct information for the study (Babbie, 2011:179). Sampling decisions are based on the purpose of the study and therefore the main aim is to choose the right people who can provide the richest data on the research questions (Maree, 2007:79).

Probability samples are used in cases where the sample group is large, as opposed to non-probability samples where the sample size is smaller (Bailey, 2007:63; Maree, 2007:79). Bless, Higson-Smith and Sithole (2013:175) mention that in qualitative research, a non-probability method is used because qualitative research does not focus on the 'average person', but on the diversity of cases. Non-probability samples include snowball and convenience samples (Welman et al., 2005:56). Snowball sampling is a method that is often adopted where an interviewee may be requested to suggest more people for interviewing (Babbie, 2011:180) and convenience sampling is about gaining access to available or accessible participants at the time of the interview and choosing an appropriate place for the interview (Gray, 2014:223; Bless et al., 2013:172).

The researcher adopted a non-probability sampling method, since the study involved qualitative research. The sample size was small and was selected based on the members' experience in their respective positions. The reason for choosing non-probability sampling is that it helped to eliminate generalisation of the findings (Maree, 2007:115). A non-probability sampling technique is best utilised if the researcher wants more participants and therefore the available

participants would recommend other possible participants (Du Plooy-Cilliers et al., 2014:137). Durand and Chantler (2014:90) mention one common advantage of using a small sample size, which is that they may not be generalizable. Therefore, the researcher decided on purposive and snowball sampling as appropriate for this study to select suitable research participants from a research population.

There are about 1 600 MPOs in SA. However, the participants that were utilised for this study were selected mainly from Thaba Tshwane military area. The rationale for choosing Thaba Tshwane is that it is the 'face' of the SANDF in SA and it has more military bases than any other military area in SA. Thaba Tshwane is not a military base on its own, but a military area comprising many military bases. A second reason for this choice is that most activities take place in Thaba Tshwane, including criminal activities. Twenty-three participants were interviewed, all from the MPD within the SANDF. The participants included MP station commanders, MPOs directly involved in crime prevention, MP school members and those that are at the MP headquarters.

Holloway and Wheeler (2010:141) refer to snowball sampling as referral sampling since the members that are chosen to take part in the study can refer the researcher to other members that they believe will be able to share their experiences and knowledge. The method of data collection for this study was in-depth face-to-face interviews, as discussed in detail in the next section.

A total number of 23 participants were interviewed as follows: all the members that were interviewed are members of the MPD. Fifteen interviewees work at Thaba Tshwane in Pretoria, one at the defence headquarters (Military Police Division Level-2) and the other seven at Centurion (Military Police Division Level-3 Headquarters). The rest of the interviewees who work outside Thaba Tshwane are directly involved in policing matters within the MPD. In fact, they are the main decision makers when it comes to policing within the MPD. Only two females availed themselves to be interviewed while the rest were males. A

total number of 16 participants were interviewed using a purposive sampling hence seven were interviewed using a snowball sampling.

## **5.5 METHOD OF DATA COLLECTION**

Theoretical and philosophical foundations such as realism and feminism influence the methods used to gather information (Carey, 2012:83). Qualitative researchers tend to collect data in the field and at the site where participants go through the event and problem under study (Creswell, 2009:175). They do not bring people into either the laboratory or practice, but they typically send out instruments for individuals to complete. Information is gathered by actually talking directly to people and watching them going through their daily activities and working within their context. This is a major feature of qualitative research (Creswell, 2009:175). Maree (2007:82) identifies three data collection techniques, namely: interviews, observations and documents. The researcher chose the interview method for data collection in this study.

The most commonly recognised method of data collection in qualitative research method is interviews (Mason, 2002:63). Burkhardt and Nathaniel (2008:120) assert that the more information collected, the greater the chances that a sensible decision will lead to a recommendable result. One way of extracting information on participants' views, attitudes and behaviours is a well-orchestrated interview (Gray, 2014:370).

An interview is defined as a method that is used to gather data directly from participants. Pre-defined questions may be asked and recorded according to Graustein (2014:73). LoBiondo-Wood and Haber (2010:275) state that an interview is an approach that is used to gather information. Participants are requested to respond to a set of either open-ended or closed-ended questions. An open question is flexible in that it provides participants with the autonomy to respond to the question in whatever manner they wish.

A closed question does not provide participants with the liberty to respond in any manner they wish, but it presents participants with a fixed range of responses that they must choose from (Whittaker, 2012:42). A research interview is a conversation between two people, normally done one-on-one. However, if the need arises, there can be more participants and it can take the form of a focus group interview (Laws et al., 2013:201; Babbie, 2011:312; Hennick, Hutter & Bailey, 2011:108). According to May (2011:131), an interview provides comprehensive knowledge of people's feelings, biographies, experiences, opinions, values, aspirations and attitudes.

Qualitative interviews are flexible and can be used as the main instrument of information gathering. They can also be used in collaboration with observations, document analysis and other kinds of information gathering techniques (Gray, 2009:185). May (2011:131) identifies various types of qualitative interviews, such as the structured interview, semi-structured interview, unstructured interview, the group interview and the focus group interview. Creswell (2009:179) names three types of interviews: face-to-face interviews, telephone interviews and the e-mail internet interview.

The researcher used semi-structured interviews since they are informal and resemble a conversation. They allow interviewees to participate more freely and in a relaxed mode, since the interviews contained open-ended questions (Gray, 2014:382; Bailey, 2007:96; May, 2011:131). Hennick et al. (2011:108) describe an in-depth interview as a simple conversation with a purpose. Braun and Clarke (2013:79) propose that, the researcher asks the participants a series of open-ended questions that allow the participants to answer in their own words during the interview. Face-to-face interviews are advantageous because they are like normal conversations between the researcher and the participant. Interviews are audio recorded so that they can later be transcribed into a written text for analysis at a later stage (Braun & Clarke, 2013:79).

Semi-structured interviews provide the researcher with the liberty to draft a list of questions to be asked, but they also allow participants an opportunity to ask

about other issues that the researcher might not have been prepared for. (Braun & Clarke, 2013:78). Gray (2014:385) further says that the sequence of questions may also be changed by the researcher, based on the direction the interview takes. Semi-structured interviews allow the researcher to ask additional questions to get clarity from participants (Gray, 2014:385). Furthermore, they are mainly used in qualitative analysis because they are non-standardised (Gray, 2014:385).

A voice recorder was used to record the interviews (as preferred by Maree, 2007:88). Even though a voice recorder was used, the researcher also made notes where possible. Before the interviews commenced, each participant was informed that taking part in the interview was completely voluntary and their informed consent was requested, on which they signed the consent form. There are two ways of recording interviews: answers can be written down, although this is a time-consuming process, and the preferred method is by using a voice recorder during the interview (Maree, 2007:88). Most significantly, the voice recorder allows for the capturing of *in vivo* quotes.

Marshal and Rossman (2011:142) believe that qualitative researchers depend mainly on extensive in-depth interviewing. Kvale (1996), as cited in Marshal and Rossman (2011:142), elucidates qualitative interviews as a construction site of knowledge where a number of participants discuss a theme of mutual interest. Marshal and Rossman (2011:142) further warn that interviewing has limitations. Interviews are often intimate encounters between the interviewer and the participant and therefore they depend on trust and trust building, and time is significant.

Another limitation is that in some cases, interview participants may be unwilling and uncomfortable to share information that the interviewer hopes to explore. The interviewer may not be able to ask questions that elicit long responses from participants because participants may not be fluent in the local language. Sometimes researchers may lack interviewing skills and fail to express themselves properly (Marshal & Rossman, 2011:142).

One disadvantage of the semi-structured interview is that it requires more time to capture and analyse data. Furthermore, random sampling is preferred in cases where interviews are longer, and it is more difficult to ensure anonymity when using semi-structured interviews (Gray, 2009:374). Another disadvantage is that it becomes cumbersome for inexperienced interviewers to pose pertinent questions, or they may omit questions that can elicit relevant information (Kajornboon, [sa]). One crucial advantage of a semi-structured interview is that it is flexible in that it allows the interviewer to delve deeper into a particular situation (Kajornboon, [sa]).

According to Hundley and Teijlingen (2001), as cited in Dikko (2016: 521) there is another phenomenon that is crucial when conducting research, whether it is qualitative or quantitative and it is the piloting of the study. The piloting of a research study provides the following advantages, according to Woken [sa]:

1. It allows for the preliminary testing of the hypothesis that subsequently leads to the testing of a more precise hypothesis in the main study;
2. A pilot study can save time because it gives the researcher the opportunity to decide whether to carry on with the research study or not;
3. It provides the researcher with the liberty to examine the planned analytical methods comprehensively and provides an opportunity to determine their usefulness for the data. The researcher may be in a position to do the necessary changes in the manner in which data was gathered, and subsequently do a more efficient data analysis in the main study;
4. It allows the researcher to consider approaches that may have been omitted prior to conducting the pilot study; and

5. It helps to eliminate the number of unnecessary mistakes and problems and provide an opportunity to redesign some parts of the study as revealed in the pilot study.

The researcher conducted some preliminary interviews which formed part of the pilot study. These interviews were then sent to the promoter for quality evaluation, comments and further guidelines. This process assisted the researcher in making improvements when conducting the rest of the interviews that were used for the main study. The researcher decided on using semi-structured interviews because they are flexible and easy to analyse. The researcher also believes that semi-structured interviews provide the autonomy to explore general views and opinions comprehensively and holistically.

## **5.6 DATA ANALYSIS**

Several elements are incorporated during the data analysis stage (Bryman, 2012:12). It is important that raw information is managed which implies that the researcher should check the information for any obvious flaws. The researcher used an audio recorder to record all the interviews and then transcribed them into Microsoft Word documents as part of the data analysis. During this process, the researcher was cautious of possible transcription errors that could have an effect on the analysis of the replies provided by participants, as mentioned by Bryman (2012:13).

The data was analysed using data coding. During the coding process, data was broken down into smaller understandable and manageable components and those components were given labels (Bryman, 2012:13; Welman et al., 2005:213; Bailey, 2007:127). Drawing codes directly from the information gave the researcher an advantage since the relevance of the information to the characteristics of the information was clear (Bless et al., 2013:351). Recurrences of these sequences of coded text were analysed to find links among the different codes (Bryman, 2012:13).

The *Atlas.ti* software provided the researcher with the following advantages, as highlighted by Smit (2002:65):

1. It has a suite of tools that supports analysis of written texts, audio clips, video files, and visual/graphic data;
2. It offers a powerful, intuitive environment for coping with inherently complex tasks, keeping the researcher focused on the analysed materials;
3. This software provides the researcher with an option of flexibility and functionality when analysing unstructured data, especially the data that could not be meaningfully studied by formal, statistical approaches; and
4. Qualitative data analysis is considered time-consuming, as is the analysis of quantitative data. Therefore, coding is a crucial stage of qualitative data analysis and is much less tedious and time-consuming when carried out with the aid of a qualitative analysis software package.

The above-mentioned advantages of *Atlas.ti* informed the decision to use this specific computer software.

## **5.7 METHODS USED TO ENSURE TRUSTWORTHINESS**

In qualitative research, the data gathering instrument is the researcher. When a qualitative researcher speaks of research “validity and reliability”, they are usually referring to research that is credible and trustworthy (Maree, 2007:80). Laws et al. (2013:160) emphasise that “honesty” is one key principle of a research report. It should be possible for another researcher to copy precisely what was done in the research and to come up with similar findings. It is critical that the researcher should leave a ‘paper trail’ so that others will be able to follow.



### **5.7.1 Credibility**

Trust plays a major role in ensuring the credibility of a study, since it is important that the participants should trust the integrity of the researcher so that they can make the personal commitment that is required in well-founded inquiry (Stringer, 2007:57). Credibility deals with the manner in which the researcher obtained the results of the research and the extent to which the results represent the data obtained from participants. The research findings must make sense and should be credible to the readers (Miles, Huberman & Saldaña, 2014:312).

To ensure the credibility of this study, the researcher used triangulation as a method which incorporates multiple sources of information to enhance the credibility of a study (Stringer, 2007:57). According to Carey (2012:42), triangulation can be described as a combination of two or more sources of information to achieve the research objectives. Humphries (as cited in Carey, 2012:42) further emphasises that triangulation assists in providing a more complete picture of the phenomenon under study as opposed to when only one method is utilised. Triangulation is a process that gathers multiple kinds of information to support one problem but utilising various methods from different points of view (Guthrie, 2010:46).

Multiple sources can be utilised to help the researcher check the findings of a study (Maree, 2007:113). The researcher can incorporate individual interviews with information gathered from focus groups, and thereafter an analysis of written material on the subject can be produced. This boosts the researcher's confidence, provided the data gathered from different sources produces the same conclusions (Maree, 2007:113).

### **5.7.2 Transferability**

Transferability refers to the possibility of people who did not take part in the study to make their own judgements whether or not the situation is the same as

their own for the outcomes to be applied (Stringer, 2007:59). A 'thick description' helps readers examine the potential transferability and appropriateness for their own settings (Miles et al., 2014:314). According to Elmusharaf (2013), transferability relies on similarities between sending and receiving factors. The researcher should gather comprehensive information with adequate detailed descriptions. Transferability basically means that the research outcomes of one study can be transferred to a study of a similar nature and produce results (Anon, 2016b:23).

The researcher ensured transferability by outlining the environment that was used for this research. Furthermore, the researcher outlined the level of experience of participants and their gender. This was done to ensure that whenever the findings of this research study are applied in another context, the description could assist in determining the kind of participants that could be utilised to replicate similar findings. Rich *in vivo* codes were used because they allow transferability and data was gathered directly from participants. This statement is corroborated by Saldaña (2009:48) when he mentions that *in vivo* codes make use of the exact words and language of participants as codes, instead of generalising.

### **5.7.3 Dependability**

Dependability refers to the possibility of repeating the research process with the same participants in the same environment used in the original study and attaining similar results. Dependability emphasises the extent to which people can trust and have the assurance that all required requirements of a systematic research process have been adhered to (Stringer, 2007:59). The main objective is to ensure that the process is consistent, reasonably stable over time and to ensure that the research is reliable and auditable (Miles et al., 2014:312). To ensure dependability, the researcher used a voice recorder to record all the participants' responses and transcribed them word for word. This enhanced the credibility of the study by ensuring that it is reliable and most importantly, auditable.

Maree (2007:80) mentions another method that could be used to ensure the trustworthiness of a study, namely triangulation. Triangulation refers to a combination of methods, such as qualitative and quantitative methods that boost each other's weaknesses. However, the various methods remain independent, operating parallel to each other (Flick, as cited in Gray, 2009:213). Triangulation is a traditional strategy used to improve the trustworthiness of a study and the evaluation of its findings and is mainly used in qualitative research (Maree, 2007:80). Elmusharaf (2013) asserts that triangulation is a method that ensures that bias is decreased and provides an opportunity for the results of a study to be applied to another subjects.

The researcher conducted 23 interviews with members of the MPD, and these interviews were later transcribed into a rich text format. The participants were interviewed at Thaba Tshwane, MPD Level 2 and 3 headquarters respectively. Later all the interviews were analysed using a computer software programme called *Atlas.ti*. Moreover, the researcher's promoter was involved throughout the process for guidance if necessary. An interview schedule was used consistently during all the interviews.

#### **5.7.4 Confirmability**

Confirmability, according to Stringer (2007:59), refers to the fact that researchers should be able to confirm that all procedures described indeed took place. Maree (2007:113) states that researchers should not become too close to the participants in the study because this might lead to bias by the researcher towards the participants. To ensure confirmability, the researcher used the "bracketing" method. It is a method that plays a crucial role in making it easier for the researcher to get an overview of all stages of qualitative research, especially with regard to choosing a topic and population, developing an interview, gathering and interpreting information, and presenting the research findings (Tufford & Newman, 2010:81). The 'bracketing' method is commonly used in qualitative research.

Readers have the right to scrutinise a research study. Therefore, it is imperative that researchers guard against taking the “truth value” out of their studies. They must demonstrate that it is believable, valid and has the required quality for use in professional practice (Holloway & Wheeler, 2010:297). The researcher used the ‘bracketing’ method to select a topic, gather and interpret data and in presenting the research findings. The researcher was mindful of not interfering with participants or leading them as they provided their responses.

## **5.8 ETHICAL CONSIDERATIONS**

In research language, ethics refers to the “rules of morally good conduct”. It is aimed at ensuring that participants in a research study are not exposed to any physical or psychological harm, that they agree to take part in the study by signing a consent form, and that their rights are not violated or deceived in any way by the researcher (Gomm, as cited in Carey, 2012:97). According to Fouka and Mantzorou (2011:4), ethics forms part of the philosophy that focuses on the effect of decision making with regard to what is right and wrong. Whittaker (2012:49) declares that researchers have a responsibility to ensure that any data received from participants are kept away from the public eye by locking it in a safe and secured area.

The researcher in this study ensured that no unauthorised person has access to any information obtained from participants. The researcher protected all computer files containing information obtained from participants with passwords. The researcher recorded background data on the personal details form of participants and kept it separate from the rest of the interview transcripts (Gray, 2009:391). The researcher further linked the participants’ personal detail forms and the interview transcripts on a separate transcript and both sets of documents were also kept separately in a safe place. The reason is that should unauthorised people have access to the transcript, they will not be able to link the transcripts to any participant.

The basic principle pertaining to ethical issues with regard to the collection of data is that participants must not suffer harm or damage as a result of the research (Gray, 2009:391). In ensuring that participants were protected during this research study, the researcher embraced the research principles as identified in the UNISA Policy on Research Ethics, the Belmont Report and the Singapore Statement.

#### **5.8.1 UNISA Policy on research ethics**

The researcher adopted the UNISA Policy on Research Ethics (2007:1), which ensures that:

1. All rights and interests of all human participants were always protected by the researcher by ensuring that the information that was collected from participants does not have the potential to invade their dignity and privacy, therefore consent was obtained from participants before taking part in the study; and
2. The scientific soundness of this research was not compromised by shortages of funds that could have led to the research being compromised.

Research ethics are important in that they emphasise the humane and sensitive treatment of participants and the risks they may be exposed to during research procedures (Bless et al., 2013:28). Therefore, it is critically important for researchers to abide by the principles of research ethics in order to protect participants. The researcher made use of informed consent forms to obtain permission from participants who took part in the study.

#### **5.8.2 The Belmont Report**

The National Research Act was signed into law on 12 July 1974 and paved the way for the creation of the Protection of Human Subjects of Biomedical and Behavioural Research. Its objective is to ensure that all research involving

human subjects are conducted humanely and in accordance with the principles. Therefore, the researcher in this study adhered to the principles as outlined in the Belmont Report (The Belmont Report, 1979). These principles are:

1. **Respect for persons** – all participants in this research study were treated with respect and as autonomous agents who are capable of deliberating on personal goals and of acting under the guidelines of such deliberations. The researcher always respected the participants' right to opinions and choices without destructing their actions, provided their actions were not to the detriment of others. Participants were protected against any harm and this protection was re-evaluated from time to time, as it varied from situation to situation.
2. **Beneficence** – this report emphasises the fact that people should be treated in an ethical manner and this includes making sure that they are protected from any harm. Therefore, the researcher had an obligation to ensure that all participants were protected from any harm by maximising possible benefits and minimising possible harms during this research study (Burkhardt & Nathaniel, 2008).
3. **Justice** – the basic principle of justice is based on the fact that all people should be treated equally. A question that is asked in this report is: 'Who ought to receive the benefits of research and bear its burdens?' This question is asked in good faith to ensure that there is 'fairness in distribution' of 'what is deserved.' The researcher in this study ensured that participants got what they deserved. Discrimination based on a participant's age, experience, deprivation, competence and position was avoided.

The Belmont Report basically outlines recommended actions to be taken by researchers to obtain informed consent, the assessment of risk and benefit, and the recruitment of participants.

### 5.8.3 The Singapore statement

The researcher adhered to the principles and responsibilities that ensures research integrity as outlined in the Singapore Statement (2010). According to the Singapore Statement there are four principles of research integrity:

1. **Honesty** in all aspects of research;
2. **Accountability** in the conduct of research;
3. **Professional courtesy and fairness** in working with others; and
4. **Good stewardship** of research on behalf of others.

The above-mentioned principles represent the first international effort to encourage the development of unified policies, guidelines and codes of conduct with the long-range goal of fostering greater integrity in research worldwide. The responsibilities of a researcher as outlined in the Singapore Statement on Research Integrity (2010) are:

1. **Integrity:** The researcher took full responsibility for the trustworthiness of the research.
2. **Adherence to regulations:** The researcher was aware of all regulations and policies related to research and adhered to all of them during this research;
3. **Research methods:** The researcher employed appropriate research methods and reached conclusions based on critical analysis of the evidence and reported findings and interpretations fully and objectively.

4. **Research records:** The researcher kept clear, accurate records of all research in ways that allow verification and replication of his work by others.
5. **Research findings:** The researcher shared data and findings openly and promptly as soon as there was an opportunity to establish priority and ownership claims.
6. **Authorship:** The researcher took the responsibility for contributions to all publications, funding applications, reports and other representations of this research. All authors and only those who met applicable authorship criteria were included in the list of authors.
7. **Publication acknowledgement:** The researcher acknowledged in publications the names and roles of those who made significant contributions to the research, but who do not meet authorship criteria, including writers, funders, sponsors, and others.
8. **Peer review:** The researcher provided fair, prompt and rigorous evaluations and respected confidentiality when reviewing others' work.
9. **Conflict of interest:** The researcher disclosed financial and other conflicts of interest that could compromise the trustworthiness of this work in research proposals, publications and public communications, as well as in all review activities.



10. **Public communication:** The researcher limited professional comments to recognised expertise when engaging in public discussions about the application and importance of research findings, and clearly distinguished professional comments from opinions based on personal views.
11. **Reporting irresponsible research practices:** The researcher will report to the appropriate authorities any suspected research misconduct, including fabrication, falsification or plagiarism, and other irresponsible research practices that undermine the trustworthiness of research, such as carelessness, improperly listing authors, failing to report conflicting data, or the use of misleading analytical methods.
12. **Responding to irresponsible research practices:** Research institutions, including journals, professional organisations and agencies that have commitments to research, should have procedures for responding to allegations of misconduct and other irresponsible research practices and for protecting those who report such behaviour in good faith. When misconduct or other irresponsible research practice is confirmed, appropriate actions will be taken promptly, including correcting the research record.
13. **Research environments:** Research institutions should create and sustain environments that encourage integrity through education, clear policies and reasonable standards for advancement, while fostering work environments that support research integrity.

14. **Societal considerations:** The researcher and research institution recognise that they have an ethical obligation to weigh societal benefits against risks inherent in their work.

#### **5.8.4 Bracketing**

Bracketing, according to Chan, Fung and Chien (2013:1), refers to putting aside the researcher's knowledge and beliefs about the topic being researched, especially on the aspects that are known prior to the research being conducted. Tufford and Newman (2010:81) are of the opinion that any relationship between the researcher and the subject being researched may arise during the research process and affect the credibility of the study. The researcher has 20 years of experience, both as a member of the SANDF and of the MPD. However, he shelved his knowledge on the subject and allowed participants to state facts on the subject matter. The researcher has been deployed in various sections within the MPD and under the UN MP during peace-keeping missions in the DRC. He is currently not a functional MP, but serves as unit planner overseeing all events and activities taking place.

This research study was conducted in a humane manner that did not pose any risks to the participants. All the participants were allowed to take part in the study voluntarily. The researcher created a conducive environment for all the participants so that they felt comfortable to answer any questions asked. The researcher further informed all the participants that they were not forced to take part in the study. He also read and comprehensively explained to them about their rights and asked them whether they were willing to take part by signing a hard copy of the consent form. Those who agreed to take part, signed the consent form and the researcher provided each participant with a copy.

#### **5.9 SUMMARY**

This chapter discussed the research design and methodology followed to reach the research outcomes. It furthermore outlined the research approach,

research population and sampling, method of data collection, data analysis, methods used to ensure trustworthiness and the ethical considerations. Each and every step of the research was discussed comprehensively so that readers have a thorough understanding of the methods that were followed to gather data. Ethical considerations were discussed to accentuate that participants were always protected from any harm or danger emanating from this research study.

## **CHAPTER 6: PRESENTATION OF THE RESEARCH FINDINGS**

### **6.1 INTRODUCTION**

This chapter presents and discusses the findings of this research. The outcomes of the face-to-face interviews conducted with various members of the MPD to analyse their experiences of dealing with crime in the SANDF receive special attention. In order to increase the trustworthiness of the data obtained from participants, the researcher utilised observations and the field notes that he made while conducting the interviews.

All the recorded interviews were transcribed and analysed using a computer programme called *Atlas.ti*. The coding was also done by means of the same computer software. Coding is the process of carefully reading all transcribed data and dividing it into sensible analytical units. The coding process gave the researcher the liberty to group together all the codes into various categories. This was done as follows: all codes that are within the category of management were grouped together under one theme and those that are within the category of crime prevention strategies were grouped together under another theme. The findings of the research ultimately divided into the following themes: The constitutional mandate of the SANDF, the nature of crime in the SANDF, lack of resources and rejuvenation.

### **6.2 BIOGRAPHICAL DESCRIPTION**

A total number of 23 members of the MPD in Pretoria were interviewed (See 5.4, para 7). These members were chosen because of their knowledge and experience in both the SANDF and as MPOs. The majority of the participants that were interviewed had 15 years and more experience in the SANDF or as MPOs. They have done and completed all the training necessary to enable them to perform their tasks effectively and efficiently. These members that were interviewed included those that are functional MP Officers directly involved in policing matters, and those that are in the management of the MPD.

The participants that were interviewed from the MPD management are involved in issuing instructions, drafting policies, conducting crime analysis and drafting and reviewing the MPD crime prevention strategies and plans. Since the SANDF and the MPD are dominated by males, it was a challenge to find enough females to interview. However, the few who were interviewed provided valuable information since they are in management positions.

Many of the members who have 20 years and more of service previously served in what was formerly known as the SADF, TBVC and other former liberation movements such as APLA and MK. Some were also members of the various police services, such as the Naval Police, the SAAF Police and the Army MP before all the services amalgamated into one division in the year 1999.

### **6.3 EMERGING THEMES**

A theme is defined as a subject, topic or a recurring idea that is presented in a context. A dominant theme is normally one that declares what that particular context is about and can be of assistance in establishing vision and analysis. A theme is not only restricted to one or two words, but it can be in a set of words (Wroblewski, [sa]). The emerging themes will be presented from a wider to a specific perspective. The core objectives of the SANDF will first be presented, then the role of the MPD in the SANDF, different role players in crime prevention as well as the participants' views on training of the military police. The nature of crime in the SANDF will be contextualised, the perceived lack of resources will be discussed and lastly the dilemma of rejuvenation will be addressed.

#### **6.3.1 The core objectives of the SANDF**

The finding of this study is that the SANDF was established in accordance with the Constitution of the Republic of SA (1996) and it was granted a mandate to protect the sovereignty of the RSA and its citizens. The participants understand that they are first and foremost soldiers before they are MPOs. They also

understand that as much as they are entrusted with the policing responsibility within the SANDF, they still have the responsibility to protect the citizens of the RSA.

The information that the researcher obtained during one-on-one interviews with participants from the MPD illustrates that they recognise their mandate and functions as soldiers. One participant said, when asked about the constitutional mandate of the SANDF:

*“it is to protect the inhabitants and the territorial borders of any country.”*

Another participant added by saying:

*“our primary task is to defend and protect the borders and the sovereignty of the State.”*

The secondary task is to assist members of the SAPS in their endeavour to maintain law and order in SA. However, the involvement of soldiers have to be approved by Parliament and endorsed by the President of the Republic.

The above statement was confirmed by another participant, who said that the defence force is needed:

*“for stability in our own country if there is such as unlawful unrest within the country that the SAPS cannot handle, there should be an organisation with a structure that can handle it, that is not biased in anything.”*

The general understanding is that all members who were interviewed really know and understand their roles and mandate, both as ordinary members of the SANDF and as MPOs.

Most of the SANDF areas, especially the military villages, have seen an influx of civilian members. This is different from past practices where military areas housed mainly soldiers and only a few family members of married members of the SANDF. Thaba Tshwane is one area that is currently inhabited by civilians

and other foreign nationals who have illegally occupied military facilities. It seems as the SANDF management is doing very little to evict and remove these members. What makes it difficult is that:

*“if civilian members are arrested, they are arrested by the military police as per citizen’s arrest and then handed over to the SAPS as soon as possible, where the case docket is also being transferred to the SAPS.”*

However, the SAPS is sometimes reluctant to assist the MPD in such matters. Most of the participants that were interviewed believe that the MPOs do not have jurisdiction over civilians, even if they are employed by the SANDF in terms of the Public Service Act. The fact that the MPD members have the same powers and responsibilities as members of the SAPS, does grant them the right to arrest, but they cannot detain civilians (See 1.2, para 6). Should they be compelled by circumstances to arrest a civilian, that particular civilian would have to be handed over to the SAPS as soon as possible. Their powers are only limited to the members of the SANDF appointed in terms of the Defence Act (Act 42 of 2002).

The procedure of arresting any person is the same for both the MP and the SAPS. One member explained:

*“yes, we have authority over them and we have done that before and I can even quote that as an NCO working at Thaba Tshwane I have been involved in arresting civilians and handing them to SAPS for safety.”*

The only difference is that a civilian person cannot be detained by the MP, but has to be handed over to the SAPS immediately. The MP has the authority to arrest a civilian in circumstances where that particular person has committed a crime in their presence.

The above statement was well supported by another member working at Thaba Tshwane MPAO, who said:

*“the military police have a right to arrest a civilian when committing an offence. Once arrested this civilian, a military police have to take the civilian and hand him over to the SAPS.”*

Any case involving a civilian person is registered at the SAPS station and not at the MPAO.

The deployment of members of the SANDF can only be authorised by the President of the Republic of SA. This means that members of the SANDF cannot take part in any operation unless authorised by the President via the correct channel, namely Parliament. This implies that the Minister of Police would request the assistance of the military from the Minister of Defence. The Minister of Defence will then submit the request to Parliament for approval and once approved by Parliament, the President will endorse it.

#### 6.3.1.1 The role of the MPD in the SANDF

The finding of this study is that the SANDF has its own policing capability in the MPD and their main role is to create a crime free environment for members of the SANDF and the entire DOD. According to Section 31(2) of the MDC (Act 42 of 2002), MPD members have the same powers and functions as their counterparts in the SAPS, moreover they can perform the role of maintaining law and order, crime prevention and crime investigation for the purpose of imposing the provision of the Defence Act (Act 42 of 2002). A member of the MPD said the following during the interview:

*“the military police are mandated to perform police functions in the SANDF.”*

Furthermore, another interviewee said:

*“yes, the military police they are mandated to execute a more visible policing with regards to crime prevention.”*



Having the same powers does not necessarily mean the members of the two law enforcement agencies fulfil the same functions, because there are certain cases where the MPD cannot investigate since they do not have the capability to do it or because they do not have the mandate to do it.

Another participant said the policing role is given to:

*“the military police, to police the force.”*

This means that the MPD is authorised to perform its policing role wherever members of the SANDF are deployed.

The MPD can ask for assistance from other components within the SANDF, but mainly for protection when they are doing their work claiming they do not have adequate manpower. This is the same principle employed by the SAPS when assisted by SANDF members. Similarly, the members who do not have a direct role in policing matters serve as a force multiplier during deployments.

The functions of the MPD are stipulated in Section 31(1) of the Defence Act (Act 42 of 2002) and these functions are almost similar to the functions of the SAPS. The finding here is that most participants were not sure of their functions. One interviewee described it as follows:

*“as you know, it’s the prevention of crime also the detection of crime through investigation, also the corrective part of it, military correctional facilities and operational as well as ceremonial.”*

There is considerable uncertainty about these functions amongst the MPOs who were interviewed. Some participants felt that the functions as stipulated in the Defence Act are not adequate. Another member defined the functions of the MPD as follows:

*“it’s crime prevention, investigation, I say crime prevention, investigation, police intelligence, the escort which we normally say manoeuvre and mobility support and then last one its internment.”*

Of all the MPD members who were interviewed, only one senior member mentioned police intelligence as a function of the MPD. The Defence Act (Act 42 of 2002) only stipulates three main functions of the MPD, namely the prevention and combating of crime, the investigation of crime and the maintenance of law and order (See 1.3, para 5). However, the MP Intelligence plays a significant role in providing crime information to the MP and also other information which can assist in the investigation of crime within the SANDF (See 4.3.1.3, para 1). However, another member of the MPD described the functions of the MP as:

*“the prevention of crime, investigation of crime within the department even taking part as well in the external Operations.”*

External operations are conducted in support of the deployed forces by policing them. The SANDF is currently taking part in external peace keeping operations in Africa under the UN and the African Union (AU) in both the DRC and Sudan. Taking part in external operations is not a direct role of the MPD according to the Defence Act, but it is a supplementary task. The intelligence capability of the SANDF is the function of defence intelligence according to both the Constitution of the RSA (1996) and the Defence Act (Act 42 of 2002). To date, nobody knows from where the MPD derives its mandate to perform the intelligence function within the SANDF.

The researcher's finding is that most of the participants do not really understand their functions within the SANDF (See 1.3, para 5). This is because the current MPD instructions and other policies with regard to their functions and responsibilities are outdated and no longer relevant (See 4.4, para 11). Interviewees also mentioned during the interviews that in-service training does not exist in the MPD anymore (See 4.4, para 10). Such training helps to keep members abreast of their functions and responsibilities, including new developments.

The MPD can perform policing functions anywhere and at any time as per their mandate (See 1.3, para 5). This means they can arrest any person found

committing or to have committed any offence, including civilians. However, they cannot detain a civilian in their holding cells. The MPD is the only component within the SANDF that is mandated to perform policing functions.

#### 6.3.1.2 Different role players in crime prevention

The SAPS is responsible for maintaining law and order and ensuring a crime-free SA by conducting crime prevention operations throughout the country. However, the MP is mandated to perform crime prevention operations within the SANDF. The SAPS relies mainly on the community to provide them with valuable information to bring perpetrators to book and thus to ensure crime-free environments. The MPD also depends on the military community to provide them with information. However, it was clear during the interviews that the military community does not play that much of a role because they have been neglected by the MPD management and the various commanders at station level. One interviewee felt that it is the duty of the MPD to activate the community members so that they play a proactive role in crime prevention within the SANDF at large. One participant also mentioned during the interview that the military community, particularly in Thaba Tshwane, used to be very involved, but they have since been neglected by the MPD.

The following emerged during the interview:

*“although the custodian of crime prevention like I said are the MPD, every individual, every DOD member that has signed a code of conduct has a responsibility towards crime prevention.”*

As much as everyone has a role to play in crime prevention, commanders have a specific role to play within their respective military units or bases, since they have to put security measures in place to protect their assets.

MP members believe that it is not only their responsibility to prevent crime in the SANDF, but it is the responsibility of every member of the defence force in

South Africa. One participating military police member confirmed that the prevention of crime:

*“is actually a joint venture.”*

Commanders have a crucial role to play in their own environments in educating their staff members about the importance of crime prevention to protect their assets from being stolen.

The above statement is supported by the following statement:

*“as they say in the military police that crime is the responsibility of all so it should be or is actually everyone’s priority or it should be everyone’s priority but the main combatants of crime prevention is the military police.”*

This statement simply implies that members of the SANDF have a role to play in the prevention of crime. However, the MP has a much bigger role to play since they are mandated to perform policing functions in the SANDF.

#### 6.3.1.3 The role of management in the SANDF

The SANDF has various levels of management, including top, middle and lower management. All three levels of management have various roles to play within their respective environments. The management, especially the top and middle management, does not have a direct role to play in the prevention of crime. The role of management, according to one interviewee is:

*“to put policies in place of preventing crime, they must put the policies in place of closing the opportunities to people to commit crime. They must also be tough on people who have already committed crime, they must also monitor all the statistics of crime and hold people accountable. That is how the management is supposed to do.”*

Although the SANDF management does not have an active direct role in the prevention of crime within the SANDF, they do have a role in giving guidance

to the commanders on the ground how to perform their functions. However, according to a senior member of the MPD:

*“their roles are not very active in crime prevention at this stage, therefore, we are having these big problems; so they are not very much involved so that is a negative point for me. If they are involved, then it would have been a different picture but ja; top management they should be quite interested in this and giving guidelines as to what they want implemented.”*

Most of the participants were not sure of the role of the SANDF management in the prevention of crime. From time to time they would refer to the MPD management. Some participants were of the view that the management's role is to issue directives and instructions, but the main challenge is that there is no monitoring to ensure that the instructions are carried out. What is important is that the:

*“senior management must be able to communicate with middle management, middle management for implementation must be able to come at tactical level and see to it this is done and there must also be monitoring so you can't pass a law and then from there or you pass a guideline, then you don't make a follow up on it, then things get out of hand.”*

The management of the SANDF meets and communicates in various forums to discuss issues of crime prevention and other issues of mutual interest amongst them. For instance, the MPD and DLSD management established a forum where they sit and communicate how to deal with cases within the SANDF (See 3.5.2, para 2). There is also the Anti-Criminality Forum where various representatives gather to discuss issues of crime in the SANDF (See 4.3.4, para 5). DACAF also established a forum where issues of crime and corruption are discussed (See 4.3.3, para 3). This means that the SANDF management does communicate on various levels about issues of crime and crime prevention. Despite all these platforms for communication, it appears as if the

quality of the communication is not up to standard, as some of the participants believe that there are still some communication gaps.

### **6.3.2 The participants' views on training of the military police**

The general view about the level and quality of training provided to the MPD members at the Military Police School is that it is insufficient and outdated (See 4.4, para 22). The courses that members of the MPD do are not only limited to the MP School, but they also do courses at the SAPS and other institutions of higher learning in SA such as UNISA, TUT and many more. Members of the MPD are of the view that the training provided at the MP School is not adequate. One participant said:

*“the training according to me personally, I don’t believe that it is enough for members to be proactive as long as they are not involved in doing courses outside the DOD.”*

The above statement about the insufficient training at the MP School was echoed by most members of the MPD. One senior member said when asked about the training that:

*“they do their training at the Military Police School, of late also at the SAPS some of the courses. I however, do not feel that crime prevention is moving with the times. Crime is a very dynamic phenomenon; it changes very rapidly although the methods that we teach our people are very outdated.”*

Participants mentioned that doing training at the SAPS comes with conditions such as a rank specification for a certain course. For instance, a MPO would have to have a higher rank (Staff Sergeant or Warrant Officer) to do an investigation course. Since most of the MPOs are junior ranking members, most of them do not qualify.

One critical matter is that:

*“if you want to prevent crime, you must have the resources in place, your manpower must be so educated so they know exactly what is...how do*

*I deal with the situation. We still don't know; do I shoot as a police official or do I shoot as a soldier that I have been trained on, a soldier is trained to kill."*

This participant was simply indicating that the training provided to MPOs is not adequate because they are not properly educated on a number of aspects, including the proper use of weapons and decision making. Furthermore, it is crucial that an MPO should differentiate between being a soldier and being an MPO when performing their tasks.

The above-mentioned facts mean that the current courses provided at the MP School are not adequate for equipping the members to fight crime within the SANDF. Another challenge is that almost all the courses that are provided at the school are not accredited. SAPS courses are accredited by the SA Safety and Security Sector Education and Training Authority (SASSETA). This also means that the certificates of competency issued to members after the completion of each course are not recognised outside the SANDF.

### **6.3.3 The nature of crime in the SANDF**

This section addresses the extent of crime in the SANDF, the reasons why people commit crime, the various types of crime that are committed in the SANDF and the people who mainly commit these crimes within the SANDF. One should keep in mind that perpetrators are military personnel and civilians.

#### **6.3.3.1 The prevalence of crime in the SANDF**

Crime is a scourge that is affecting the operational ability of the SANDF. This was corroborated by a member of the MPD during an interview when he said:

*"the level of crime in the defence force I think is very high, if you give me from one to ten; I will say maybe seven."*

The general understanding is that the SANDF is not really winning the fight against crime, especially in Thaba Tshwane, where almost every type of crime is taking place. Another participant said:

*“whether it’s petty crime or whether it is criminal but it is...ja, I will rate it on an eight out of ten.”*

Thaba Tshwane has become a crime den. The interviews revealed that there is not a crime that is not happening in Thaba Tshwane. Crimes include prostitution, drug smuggling and many more. The majority of participants agreed that crime is indeed a problem in the SANDF. One participant even said:

*“I will give it an eight or eight and a half even so it’s very high even crimes that we still not investigating at this stage they are there.”*

The majority of participants rated the prevalence of crime in the SANDF above five out of ten, which means crime is a challenge that the SANDF struggles to contain.

It was also revealed that there are many types of crimes taking place in the SANDF, such as assault, intimidation, theft of state property and many more. According to the participants, theft of state property is currently the biggest problem in the SANDF, and it seems to be escalating rapidly. Thaba Tshwane was identified as the area that contributes most to the statistics on crime taking place in the SANDF. Theft can be attributed to the lack of security measures within military bases or units. Another participant remarked that:

*“theft of state property includes weapons to be utilised in other incidences of crime.”*

Nine senior members of the MPD who were interviewed repeatedly referred to the National Crime Estimates for FY2015/16. Five priority crimes were mentioned, and these crimes were:

*“priority one crime in the defence force was theft of state property and housebreaking at military premises. The second crime was reckless and negligence driving which included vehicle accidents, priority three as I*



*mentioned, verbal and physical assault which is very worrying, us being the defence force. Four was burglary and housebreaking theft of private property, namely in military residences single quarters and so forth, and priority five also worrying; fraud and corruption.”*

Other crimes were also mentioned, such as intimidation:

*“the one that everyone is avoiding maybe the biggest threat to the defence force, is intimidation. Intimidation by the lowest rank up to the highest rank.”*

The above participant elaborated by saying that intimidation manifests itself in different forms, but the most common form of intimidation is directed at investigating officers and military prosecutors. In most cases, short message services (SMSes) are used to send intimidating messages and it becomes cumbersome to detect the source of that particular SMS. The researcher was not allowed to have a copy of the MPD National Crime Estimates for FY2015/16 since it is a classified document.

#### 6.3.3.2 Safety around Thaba Tshwane

Thaba Tshwane is supposed to be the safest place in SA because it is a military village dominated by military bases full of military personnel. It is a place that is regarded as the face of the SANDF and it includes more military bases or units than any other place in the SANDF. It is worrisome when military personnel do not feel safe in their own environment. One participant said that she will never feel safe when walking around Thaba Tshwane, because:

*“as a female number one, no the area itself, the environmental design of the place is not conducive for crime prevention. The reason why I say this long grasses, bushy areas, vacant pieces of land and easy hiding places.”*

Another MP official with more than 20 years of service said that he does not feel safe walking around Thaba Tshwane at night because:

*“there are a number of factors that influence my answer. First of all, there are areas that are dark at night and then houses that are abandoned due to dolomite, and they harbour criminals and then ATMs have been bombed several times and it shows that criminals are roving around in the night, so you cannot, I cannot feel safe at all.”*

If the military personnel do not feel safe in Thaba Tshwane, what about their family members residing with them who are not trained soldiers? It would be much more difficult for them. A senior officer of the MPD mentioned that:

*“I have been told by a police official when I was driving from town, from the bank, this person told me it’s not safe in this area. It was just an early evening and this person also told me this is happening, there is a group that they as the military police in the area that they are still seeking to arrest because they always run and so on. So all in all nobody is safe to walk especially during the middle of the night.”*

This is an indication that the SANDF and the MPD in particular have to do something to prevent and curb all crime activities occurring in Thaba Tshwane so that the dignity of the place and of soldiers at large is restored.

Some members said they would feel safe walking around Thaba Tshwane because they are trained soldiers. However, one participant said:

*“I think the most of the people would not feel safe, no, because of the influx of crime, the amount of the illegal people staying here, the amount of crime specifically theft that is going on that does have an impact.”*

Most participants mentioned that they would not feel safe walking around Thaba Tshwane at night because of the criminal activities prevalent in that area and the lack of police visibility.

It also emerged during the interviews that crime such as robbery is currently on the rise in Thaba Tshwane. It sometimes happens even during the day. Innocent people are robbed of their cell phones and other belongings by drug

addicts for instance, so that they can sell them and have money to buy drugs. Some of the people who are robbed at night are targeted when they use their cell phones as torches when they walk past dark places.

It was also mentioned during one interview that Thaba Tshwane is a perfect hiding place for people who are involved in criminal activities. It also surfaced that there is a high number of housebreaks and theft in Thaba Tshwane. The neighbouring suburbs such as Erasmia and Valhalla have also seen an increase in similar crimes. This can be directly linked to the people who would break in and then quickly return to where they can hide at Thaba Tshwane. One participant mentioned that there are people who are illegally residing at the Eufees shooting range. Illegal squatters started out as a few families, but currently there are more than ten shacks, and these people are unemployed. One MP official said during the interview:

*“I am not sure when last have you been to the shooting range where it started with four, five people staying there, it is a whole community that staying there.”*

There are also people who live in holes in Thaba Tshwane, including illegal aliens, and these are the people who are mainly involved in crime around the area and nobody seems to be doing something to remove them. The biggest challenge is to identify them once they have been involved in crime. They do not have identity documents (IDs) and they change their names almost every day.

Therefore, many participants felt that it is unsafe to walk around Thaba Tshwane, especially at night. Thaba Tshwane is supposed to be the safest place in South Africa because it is saturated with military personnel. The illegal occupants of dilapidated and neglected military buildings have worsened the situation as far as crime is concerned.

#### 6.3.3.3 People committing crime in the SANDF

The SANDF is made up of civilians who are appointed under the Public Service Act (Act of 1994 as amended by Act 30 of 2007) and soldiers (military personnel) who are appointed under the Defence Act (Act 42 of 2002). Both military personnel and civilians work in the same environment. However, there are many civilians that are residents, and some of them are staying there illegally. The Thaba Tshwane residential area is within the same area where military personnel work.

Recently there has been a spike in illegal aliens occupying SANDF facilities that have been neglected by the SANDF for many years. This is not only affecting Thaba Tshwane, but it also affects places such as Port Elizabeth and the Maryvale area. Another revelation was that there are many people who are staying illegally in Thaba Tshwane military houses because military personnel are sub-letting. However, a senior member that was interviewed said that when it comes to the people who are committing crime, whether in Thaba Tshwane or in the SANDF at large:

*“it’s difficult to determine but being a supposedly closed military area, the obvious deduction would be that it’s the DOD members.”*

Another member of the MPD who has been working in Thaba Tshwane for many years mentioned that:

*“the civilians are employed within the SANDF, but military personnel that are specifically in the procurement environment that is dealing with lots of money on daily basis, get tempted in these things.”*

The procurement environment consists of both military personnel and civilian members employed in terms of the Public Service Act. This is one environment that contributes immensely to fraud and corruption cases within the SANDF. The main Central Procurement Service Centre (CPSC) is situated in Thaba Tshwane and is in charge of processing most government orders for large sums of money for units in SA.

Crime does not have colour or rank, and this has been evident in the SANDF when a very senior member was arrested for allegedly committing fraud. During one of the interviews an MP official referred to the case of a Brigadier General who was arrested for allegedly defrauding the State of millions of rands. This is an indication that not only junior members and civilians are involved in crime activities, but even the most senior members of the SANDF.

When looking at the most prevalent crimes in Thaba Tshwane, namely housebreaking and theft, robbery and other forms of crimes, a participant said:

*“civilians are more involved in these crimes within the military area.”*

However, the general feeling was that soldiers are mainly involved in the crimes occurring within the military bases or units. This is because civilians are not necessarily granted authority over military personnel. If they are involved, they work with military personnel.

#### 6.3.3.4 Reasons for committing crime

There are many general reasons that could prompt people to commit crime. According to the participants of this study, many people commit crime because the SANDF creates opportunities for crime to be committed easily. According to one participant who is a member of the MPD:

*“what I have realised is that it is not that mostly because of their background, it is because there is an opportunity. Say for example somebody is standing there with a weapon and you know that he is not carrying ammunition, it’s an opportunity we are creating, lots of opportunities.”*

Some SANDF members are neglected in terms of career development. They have been in the same rank for more than 15 years, some even longer. During an interview with a member of the MPD in Thaba Tshwane, he said:

*“the main issue here is hunger, so other people are so...they were not privileged to be ranked so they are still Privates even today. They do not afford to; I mean to sustain their families.”*

Another reason according to another member is:

*“if you have got people who are not happy and then they feel the thing that makes them not to be happy is because they are not having money, they are not earning enough; automatically they will resort to another behaviour; it can be stealing, it can be fraud, it can be like theft, fraud.”*

The above statements simply suggest that a promotion means more money and without promotions it becomes difficult for members to be able to provide for their families. This could be the reason they resort to other illegal means of making money.

#### **6.3.4 Perceived Lack of resources**

The lack of resources was another factor that was mentioned as a hindrance when it comes to crime prevention activities. The general view is that the MPD does not have enough resources. The researcher has observed this at Thaba Tshwane MPAO, where about 13 military vehicles were rendered out of service. Only a few vehicles could attend to crime scenes. Unfortunately the researcher was not allowed to take pictures due to security reasons. One participant mentioned that:

*“The vehicle issue is one that is known to you, which is actually very frustrating. There are many people that are complaining that when they phone the MPs, there’s only one bakkie on duty after hours and they are busy with another crime scene.”*

Another member said that:

*“if there are ten, its only two that is serviceable, eight is not serviceable and no-one is doing anything.”*

The issue of the serviceability of vehicles is attributed to the long and ineffective system that is currently used to service military vehicles. Vehicles will be parked at the various units for months while the unit is waiting for financial approval so that they can be called to the various workshops for inspection. Only then they are sent to various motor vehicle dealers.

The MPD has enough 9mm pistols to be issued to every member of the division. This was confirmed by a member of the MPD during an interview that new 9mm pistols were bought recently. However, most of the MPOs do not carry weapons. Members of the SAPS are issued with weapons as soon as they leave the police training college. None of all the MP participants that were interviewed, especially the functional police, were carrying weapons. The reason why some of the MPOs are not issued with weapons according to one participant is that they are not qualified to carry weapons, meaning they failed to obtain 70 percent and above during their shooting exercises (See 4.4, para 23). One MPD member who admitted this said:

*“I do the evaluations in this post and I see client service centre members that must report out to crimes and they are not armed and they cannot give them a weapon because they do not qualify to shoot.”*

This participant said the only resources issued to MP members are batons, handcuffs and MP sleeves to show that they are not ordinary soldiers, but MPOs.

*“I believe that if there were resources, I think we were going to do much better than this.”*

Although resources such as 9mm pistols are available, they are not issued to all MPOs so that they can perform their tasks, namely crime prevention and crime investigation within the SANDF. MPOs do their shooting exercises on a 9mm pistol simulation machine, which is an indoor shooting range and they attend training on a monthly basis particularly those that are working in Pretoria (See 4.4, para 23). The researcher tried to obtain the shooting results or

consolidated reports but could not succeed since the information is classified, but they were able to confirm that they do attend shooting exercises monthly.

There is currently a crisis in the SANDF, almost all over SA. Pretoria is the hardest hit. The problem is the shortage of fuel, both diesel and petrol. The SANDF does not operate like the SAPS where drivers are issued with petrol cards. The SANDF has its own fuel stations where members can refuel military vehicles at any time. The challenge is that all the petrol stations are very primitive since they were built in the 1960s when there were still few military vehicles. Currently the SANDF vehicle fleet amounts to thousands of vehicles that require upgraded fuelling points.

Another challenge is that the procurement of fuel is on contract, but the delivery is always a problem. Sometimes it takes weeks or months for fuel to be delivered because the company has not been paid. In 2012 News 24 revealed that the SANDF owed R26 million on its fuel bill, but they promised to pay (Anon, 2012a). This is another situation that makes it very difficult for MPOs to perform their task of crime prevention, since they must be mobile.

Units around Pretoria depend on the General Support Bases (GSBs) or the ASBs for logistical support, but it becomes a challenge when members have to run from one unit to another begging for fuel, as mentioned by one MP member. The participant said that it demoralises members because if they go the cash route, it takes between two to three days for their request to be approved. Once approved, they can only fill up one vehicle, do one patrol around Thaba Tshwane and the fuel is finished. They then restart the process, wait for three days again to fill up one vehicle and by that time, crime has escalated again.

In a policing environment, resources such as weapons, vehicles and other logistical supplies play a crucial role in ensuring that service delivery takes place. Without the correct resources, it becomes cumbersome for policemen and women to attend to complaints and to perform other functions, such as mobile patrols.



### 6.3.5 Rejuvenation

Rejuvenation was mentioned as one of the critical challenges within the MPD which can directly be attributed to the budgetary constraints which have a direct bearing on the expansion of structures (See 4.4, para 21). A senior member of the MPD said:

*“if you can see the age of our members of crime prevention within five years from now, there will be nobody left they are old; they are towards the gate towards pension.”*

This is an indication that rejuvenation is a critical challenge and this creates a lacuna because after the current members that are nearing retirement age have left the SANDF, there will be no continuity.

The structure of the MPD is so small that it only caters for about 1600 members within SA. This was mentioned by a member of the MPD, who said:

*“I think the budget has a bigger role to play with that otherwise they would have open up our structures and the...placed more people.”*

Currently members are deployed in the DRC and Sudan for peacekeeping operations, or within the RSA to do policing at the borders, some are on courses, some are on sick leave, while others are on annual leave (See 4.3.1.5, para 1). This creates lots of gaps in the already strained structure.

This creates a huge shortage at the MP stations, particularly when it comes to crime prevention activities and operations, because there is always a shortage of manpower to perform such functions (See 4.4, para 20). The escalation of crime in Thaba Tshwane can be attributed to the fact that:

*“they don’t have manpower, that’s why in all our events that we are running, we have to do it from all 4 Regions just to get manpower on the ground.”*

This is the reason why 13 Combat Ready Provost Company is utilised to capacitate TTMP station during the festive season because they have limited manpower (See 4.3.1.5, para 2). This is an entity responsible for both internal and external deployments as well.

There is currently a system that was meant to rejuvenate the SANDF. This system is called the MSDS (See 1.3, para 2). Members are recruited fresh from school, trained for two years and thereafter those that are selected are offered contracts and the rest are enlisted into the reserve force component (See 1.3, para 2). A senior member of the MPD said during an interview that this system can be blamed for the criminality in the country and in the SANDF. These recruits are trained as soldiers, they are introduced to the systems, including weapons and weapon handling, and thereafter return to civil society instead of being absorbed into the force.

He further said it is easier for these members to come and commit crime in the organisation because they know everything about it, including the lack of proper security measures at various military bases. It is safe to say the current recruitment system does not necessarily address the needs of the organisation because they recruit for the sake of training people, but not for the sole purpose of rejuvenating the SANDF. Only few members are absorbed into the SANDF after they have completed their training. The Minister of Defence and Military Veterans, Ms Nosiviwe Mapisa Nqakula, said during her Budget Vote speech on 19 May 2015 in Parliament that the defence force must consider increasing the number of MSDS recruits in order to rejuvenate the defence force.

The challenge with regard to rejuvenation of the defence force was also mentioned by the DA spokesman on defence, Mr Marais, as cited in the Sunday Times. He mentioned that the defence force is currently dominated by senior members as opposed to young and active members, which is what is required on the ground (Mzilikazi waAfrica, 2016).

Rejuvenation plays a pivotal role in ensuring that an organisation is able to progress. It also allows mentorship programmes to take place so that knowledge is passed on to the younger generation. Without rejuvenation, an organisation would simply perish because when the experienced members retire, they leave a vacuum.

#### **6.4 SUMMARY**

Crime is currently rife within the SANDF and most of the crime takes place in Thaba Tshwane. These crimes include theft of state property, robbery, housebreaking, fraud and corruption, and many more. The people involved in crime within the SANDF are mainly uniform members, but civilians also play a role. The findings also revealed that the MPD has a huge role in the prevention of crime within the SANDF. However, they are struggling to contain crime because they are inadequately resourced in terms of equipment such as vehicles and human resources.

The current training provided to the MP members does not address the current crime situation experienced in the SANDF, since crime is dynamic and requires new strategies at all times. The SANDF does not have a direct crime prevention role but they can take part in law and order operations when assisting the SAPS as per request. However, the MP can at any given time perform policing functions for the purpose of enforcing the Defence Act (Act 42 of 2002). The MPOs can arrest anyone who is alleged to have committed a crime within the defence force, however that person will have to be handed over to the SAPS immediately.

## **CHAPTER 7: THE INTERPRETATION OF THE FINDINGS**

### **7.1 INTRODUCTION**

The interpretation of the findings is the final step of qualitative research. This is a process that asks the question “*what lessons were learned?*” In this chapter the findings of the research study are discussed in conjunction with the research themes. This discussion provides an opportunity to emphasise and determine what is known about the topic by interpreting the findings and deciding what they really mean.

This chapter integrates the information contained in Chapters 2, 3 and 4 with the findings in Chapter 6. The following themes are discussed: the Constitutional mandate of the SANDF; MP training; the nature of crime in the SANDF, the lack of resources and rejuvenation.

### **7.2 THE CONSTITUTIONAL MANDATE OF THE SANDF**

The SANDF comprises four arms of service, namely the SA Army, SA Air Force, the SA Military Health Services (SAMHS) and the SA Navy. This defence force was established in terms of section 200 of the Constitution of the RSA (1996). It is the only defence force of the RSA in terms of section 199 of the Constitution of the RSA (1996). The primary task of the SANDF is to defend and protect the citizens of the RSA and to defend its borders against any internal and external military aggression.

Internationally, defence forces were established for one common reason, namely to defend and protect the citizens of a specific country against both internal and external military aggression. Soldiers are not utilised to prevent crime, as this is the function of the civilian police. However, the military can be called upon to assist the police should the need arise. When they assist, they serve as a force multiplier, meaning they provide protection for the police. The reason why the defence force is not utilised in crime prevention operations is

that soldiers are not trained to maintain law and order, but to seek and destroy enemies.

The maintenance of law and order is the function of the civilian police, albeit sometimes in cooperation with the military. The primary function of the civilian police are to prevent and fight crime; crime investigation; the maintenance of law and order; to protect and secure its inhabitants and their property; and to uphold and enforce the law. The military can be asked to assist the civilian police as a last resort, meaning if the police struggle to contain a particular situation. However, the request to assist the civilian police has to be initiated by the Minister of the Police through the Minister of the Defence. The next step is for the request to be submitted in Parliament for approval before being endorsed by the President of that particular country.

This is how it is commonly done in most countries. However, internationally, defence forces do have the capability to fight crime taking place within its own environment through the military police. For example, the SANDF has its own crime fighting entity in the MPD. The MP personnel are appointed in terms of Sections 30 and 31 of the Defence Act (Act 42 of 2002). Their roles, according to Section 31 (1) of the Defence Act (Act 42 of 2002) are crime prevention, crime investigation and the maintenance of law and order within the SANDF to enforce the Defence Act (Act 42 of 2002).

What can be learned in this instance is that defence forces are not mandated and tailor-made to perform law and order operations, but they can assist the civilian police when they are asked to do so. They can also assist during disasters to provide much needed aid such as transport of food, water and clothing to affected areas. The utilisation of MP in Brazil in law and order operations had dire consequences after they had massacred many civilians. Therefore, soldiers must be employed to do what they are trained to do, namely to protect civilians against any military aggression. This means that if a defence force is used for other purposes, there could be dire consequences because

they do not know how to handle law and order situations, especially if they are not accompanied by the civilian police.

The findings related to this theme were derived from interviews in which participants responded that the constitutional mandate of the SANDF is the protection of the borders of the RSA and the country's citizens. The participants further acknowledged that the SANDF cannot be used in the maintenance of law and order in isolation, but can be used to assist the SAPS if they cannot contain a particular situation on their own.

This means that the employment of the MPD in the maintenance of law and order must be done in accordance with the Constitution of the RSA (section 201(3), of 1996), read with the Defence Act (Act 42 of 2002, section 19(1)). This also means that the President of the RSA is the only person with the executive powers to authorise the deployment of the Defence Force to assist the SAPS according to section 201(2)(a) of the Constitution of the RSA (1996).

### **7.3 MILITARY POLICE TRAINING**

Defence forces have their own crime fighting element, namely the MP. Their main role is to perform crime prevention as a primary function, crime investigation as their secondary function and the maintenance of law and order within the respective defence forces. Within the SANDF, the MPD plays a crucial role in the prevention of crime and thus ensures that the SANDF remains crime free. MPOs do have a jurisdiction over civilian members of the SANDF (See 4.3.3, para 5 & 4.3.4, para 4).

However, they can arrest a civilian member when observed committing a crime in their presence or they are alleged to have committed a crime. It is regarded as a citizen arrest. After arresting a civilian member, they have to hand over that person to the civilian police (SAPS) immediately (Section 31 (6)(a) of the Defence Act (Act 42 of 2002)). Members of the MPD have the same powers and responsibilities as members of the SAPS when executing their duties

according to section 31(1) of the Defence Act (Act 42 of 2002). They have the powers to arrest. However, in practice, a non-commissioned officer cannot arrest an officer in the SANDF. This implies that an officer can only be arrested by an officer and a junior officer cannot arrest a senior officer. The reason is that it is believed that military discipline will be compromised in a case where a junior arrests a senior member.

Members of the MPD are trained as soldiers before they are recruited to join the MPD. They do their police training at the Military Police School, which is situated in Thaba Tshwane. There are other courses that they do at the various SAPS Colleges and other institutions of higher learning such as UNISA, TUT and other institutions at state expense. The MPD is the only entity within the SANDF given the role of performing policing functions according to section 30 of the Defence Act (Act 42 of 2002), as mentioned earlier.

It is common practice internationally that MPOs are only authorised to perform policing functions within their respective defence forces. Like any other soldier, they cannot be used to perform law and order operations outside their jurisdiction. If they do, permission is sought through the normal channels. The information that was gathered through interviews for this theme suggests that the training provided to the MPOs within the SANDF is inadequate for them to perform crime prevention activities effectively. More police training is required to address current crime trends, since crime is dynamic and not static. Some participants mentioned that the SAPS training does not necessarily assist the training needs of the MPD, because only certain rank groups are accepted and not the lower ranking members who actually deal with crime on a daily basis.

This implies that the MP training in the SANDF does not address the current crime situation, especially when it comes to cybercrime, ATM bombings and other types of crime. Crime is dynamic and sometimes too complex to deal with. It requires advanced and constant training to contain it.

## **7.4 THE NATURE OF CRIME IN THE SANDF**

The SANDF is affected by crime just like any organisation. Crime is gradually rendering the SANDF operationally ineffective because when money and resources are stolen, it has adverse consequences for the defence force. The following sub-themes are discussed here: prevalence of crime in the SANDF, safety around Thaba Tshwane, people committing crime in the SANDF and the reasons for committing crime.

### **7.4.1 Prevalence of crime in the SANDF**

There were a number of crimes mentioned as being prevalent in the SANDF, including theft of state property, housebreaking and theft, reckless and negligent driving, fraud and corruption, burglary, verbal and physical assault and housebreaking and theft at military residences. These crimes were identified as the most common crimes within the SANDF, and according to nine participants who are senior members of the MPD, these crimes were also mentioned in the National Crime Estimates for FY2015/16.

The findings suggest that the MPD is not really winning the fight against crime. This is based on the levels of crimes occurring within the SANDF. Criminals are no longer afraid of military personnel and their places of residence. This is a worrying factor. It is also evident that security measures are not that stringent anymore, that is why crimes such as housebreaking and theft, fraud and corruption and theft of state property have become problematic.

### **7.4.2 Safety around Thaba Tshwane**

Thaba Tshwane is an area dominated by both military bases and state married quarters for military personnel and their families. The findings of this sub-theme revealed that members of the SANDF are not comfortable to walk around Thaba Tshwane, especially at night, because of the illegal aliens that rove around the place. The worrying factor is that if trained personnel are afraid to



walk around their own environment, what about their family members who are ordinary civilians? Surely it is much more difficult for them to navigate Thaba Tshwane at night time. The MP is not visible in Thaba Tshwane, especially at night, because they have limited resources and it is dark at night around the area.

#### **7.4.3 People committing crime in the SANDF**

The SANDF includes both military personnel that are employed in terms of the Defence Act (Act 42 of 2002), and civilian members that are employed in terms of the Public Service Act (Act of 1994 as amended by Act 30 of 2007). These people work together in various departments within the defence force, especially in the procurement environment. Fraud and corruption is rife in the procurement environment, but it is not easy to say whether it is the military personnel or the civilians who commit these crimes. However, the findings suggest that both military personnel and civilians are involved in crime. Other members that are involved in crime are the illegal foreigners that have since occupied the old, dilapidated and neglected SANDF buildings.

Some criminals use Thaba Tshwane as a hideout place. They know that it is not easy for the police to look for them in Thaba Tshwane because they regard it as a safe place. Some soldiers are involved in illegal leasing of military quarters to illegal aliens and it is suspected that these are the people that are involved in the commission of crime. ATMs were bombed at Thaba Tshwane and there was no reaction from the MP, who were about 1 kilometre away from the crime scene (See 1.3, para 4).

This means that Thaba Tshwane is no longer the safe place it used to be. Military personnel are afraid to confront other members of the defence force because they fear for their lives. It is a difficult situation because they all reside in the same place. It was also mentioned during the interviews that MP investigating officers are victimised and threatened by other members.

#### **7.4.4 Reasons for committing crime**

Crime does not discriminate, but it happens everywhere and it is committed by people for various reasons. Generally, it is believed that people commit crime because of the socio-economic factors that contribute to poverty. Members of the SANDF are getting paid according to their ranks, meaning the more they are promoted, the higher salaries they earn. Currently, most SANDF members stay on the lower ranks for many years which makes it difficult for them to provide for their families considering the cost of living these days.

The findings of this sub-theme suggest that people commit crime within the SANDF because they see opportunities that are created by the lack of security measures. Other participants felt that the MSDS members that are trained and then released by the SANDF could be the ones committing crimes and providing information to criminals, since they know the SANDF very well. They also know how the guard system works, and they understand that in most cases guards carry weapons without ammunition.

This means that the SANDF does not necessarily take security as seriously as they should. MSDS members are not trained on a need basis and that is the reason they are trained and released. Moreover, the skills that are provided to trained members do not help them to find jobs outside the SANDF since most of the skills are irrelevant to the outside market. The situational crime prevention model can add value by decreasing the rewards of committing crime and increasing the risks of offending. This can be accomplished through target hardening. This would take away the incentive for crime. The social crime prevention model can also be incorporated through crime awareness programmes in which people are educated about crime and the ramifications of crime.

## **7.5 LACK OF RESOURCES**

There is no defence force that can function effectively without the availability of resources such as weapons, ammunition, vehicles and many more. The shortage of resources renders a defence force ineffective in the fulfilment of its mandate, which is to protect its citizens and borders. The MPD is an entity given the role to fight and prevent crime in the SANDF and they require the right resources in order to minimise the levels of crime. Moreover, the SANDF and any other defence force also requires adequate resources in order to be fully operational.

The findings suggest that resources such as weapons, especially 9mm pistols for the MPO are critical in the fight against crime. Currently, most MPOs are supposed to fight crime unarmed, as one participant mentioned that they do not carry weapons because they failed during the shooting exercises to obtain the minimum passing percentage of 70 percent (See 4.4, para 23). Another issue that was raised was the shortage of vehicles at the various MP stations, particularly in Thaba Tshwane. This is caused by, amongst other things the lengthy procurement process that is followed when servicing vehicles. Military vehicles are also damaged through negligent driving by members and it becomes cumbersome to replace them.

Police all over the world, both MPOs and civilian police, carry weapons to protect themselves, especially those that are involved in crime prevention operations. This is done so that whenever they are confronted with dangerous situations, they are able to defend themselves. Vehicles are also a necessity for police officials to do mobile patrols and attend to complaints. Without vehicles it is definitely not possible for police to function effectively because their mobility will be limited.

## **7.6 REJUVENATION**

The experienced members of the SANDF are gradually reaching their retirement age and rejuvenation remains a critical challenge. Young members are recruited every year through the MSDS, but the majority of them are released back into the civilian population due to structural challenges. Defence forces all over the world recruit young men and women to bridge the gaps left by older soldiers going on retirement. This helps to keep their defence forces rejuvenated with young members as failure to rejuvenate might have dire consequences.

The structure of the MPD is very small and that is a critical challenge because they are too stretched, since some members must be deployed in both internal and external operations to police the SANDF members (see 4.4, para 2). Some members have to do courses while others are on either sick leave or vacation leave at the same time. Therefore, they (MPOs) become very thin on the ground.

The MPD Human Resource Office recruits members to join the MPD from all the arms of service and division. This recruitment takes place once the members have finished their military basic training. Therefore, it is imperative that young men and women are recruited and trained as, for instance investigating officials, while the experienced ones are still working so that they can be mentored. Moreover, it takes long to produce an investigating official. It even takes longer for them to obtain the necessary experience.

## **7.7 SUMMARY**

The constitutional mandate of the SANDF is to defend and protect the citizens of the RSA and its borders against both internal and external military aggression. MPOs are trained at the MP School in Thaba Tshwane. They are also afforded opportunities to do other courses at the various SAPS Colleges and other institutions of higher learning at state expense. Thaba Tshwane is

most affected by crime of all the military areas, so much so that people are afraid to walk around at night. During the FY2015/16, a number of crimes were identified within the SANDF and those are theft of state property, housebreaking and theft, verbal and physical assault and fraud and corruption.

Crime is committed by both military and civilian members who are working and residing within the military areas. The illegal immigrants that are occupying the dilapidated SANDF buildings are also involved in criminal activities around Thaba Tshwane. These people commit crime for a number of reasons, ranging from hunger and low salaries because they have not been promoted for a long time. Moreover, criminals see opportunities that are created by the lack of proper security measures. The SANDF recruitment system does not address the critical issue of rejuvenating all the various arms of services.

## **CHAPTER 8: RECOMMENDATIONS AND CONCLUSION**

### **8.1 INTRODUCTION**

This chapter provides the recommendations and the conclusion of this research study. The chapter proposes a model to address the challenges experienced by the SANDF and the MPD when dealing with issues of crime prevention. The recommendations are based on the view that crime prevention is the main function of the MPD and not any other entity of the SANDF. The recommendations were addressed by looking at all the research objectives.

### **8.2 RECOMMENDATIONS**

The recommendations of the research study are as follows:

#### **8.2.1 Objective 1: To explore the current crime prevention strategies used by the MPD in the SANDF**

The SANDF does not have a crime prevention role within the community in general, but they can take part in crime prevention operations if asked to help the SAPS. The main role of the SANDF is stipulated in the Constitution of the RSA (1996), and crime prevention is not its function. The primary function of the MPD is crime prevention and its secondary function is the investigation of crime which is limited within the SANDF, however they can perform any policing function at any given time as long as it is for the purpose of enforcing the Defence Act (Act 42 of 2002). The MPD's crime prevention strategy is outdated and no longer effective since it does not address the current crime trends (See 4.3.1.1, para 1).

**Recommendation:** The researcher recommends that the MPD should draft a new MPD NCPS so that all the regions can conduct crime prevention operations and activities in a standardised manner. This can be done once an Academic Research and Development section has been established since it can take that

responsibility (See 4.4, para 11). Moreover, there are many MPD members that have studied policing at various tertiary institutions, and these are the members that must form part of the Academic Research and Development section.

#### **8.2.2 Objective 2: To determine the role and functions of the MPD in crime prevention within the SANDF**

The MPD is authorised to perform crime prevention functions within the SANDF according to the Defence Act (Act 42 of 2002), section 31 (See 1.3, para 5). The role of the MPD in the SANDF is to provide a policing capability through crime prevention as the primary objective and the investigation of crime the secondary objective (DOD Annual Report FY2014/15, 2015:104). They also perform other functions such as traffic control, ceremonial duties and escorting of VIPs. The MP Intelligence also plays a major role in providing valuable information that helps in both the prevention and investigation of crime within the SANDF.

However, some MPD members seriously struggle to handle simple situations as part of their functions and this could be attributed to the fact that both the training and policing instructions that are used are outdated and no longer relevant (See 4.4, para 21). 13 Combat Ready Provost Company is mainly responsible for deployments both internal and external, but they also assist in crime prevention operations (real time policing) around Pretoria and Thaba Tshwane.

**Recommendations:** Effective crime prevention is based on partnerships between the various departments within the SANDF. Therefore, it is recommended that the MPD should not endeavour to play their crime prevention role in isolation but must involve all the role players as well. Moreover, since crime prevention is a function of the MPD, they must play a leading role by initiating crime awareness campaigns, community policing forums and crime prevention monthly meetings with all the relevant stakeholders within the military community. Crime prevention efforts that may

be initiated by other stakeholders within their respective military units must be facilitated by the MPD so that they can provide informed advice how to deal with crime. In other words the MPD has a role to play in educating other members about crime and its consequences.

### **8.2.3 Objective 3: To identify all crimes in the SANDF and the manner in which the MPD deals with such crimes**

Many crimes occur within the SANDF, ranging from theft of state property, house breaking and theft, fraud and corruption, sexual harassment and many more. All cases are reported to the MPD through the various MPAOs around SA. There are other ways of reporting cases, such as using the “click and tell” tool which is found on the DOD intranet (See 4.3.1.3, para 7). The “click and tell” tool gives complainants the liberty to remain anonymous. Another method is by using the toll free crime line, which is free when dialled from the SANDF telephone lines (See 4.3.1.2, para 5). All calls that come from cellular phones go straight to TTMP station in Pretoria so that they can be redirected to the relevant area office. Some of the cases are referred to the SAPS and others are dealt with internally.

The procedure of handling cases is similar to the procedure used by the SAPS. Moreover, the CAS that is used by the MPD is exactly the same as the one for the SAPS (See 4.4, para 8). There is currently a Service Level Agreement (SLA) between the SAPS and the MPD on the use of the CAS. The MPD is yet to migrate to the new ICDMS.

**Recommendations:** Considering the nature of cases that the MPD deals with, it is therefore recommended that the MPD must only deal with criminal cases and not with minor disciplinary offences. Disciplinary offences must be dealt with by the OCs at various units through their adjutants or legal offices, instead of being referred to the MPD (See 4.2, para 5). This will ease the burden on the already strained MPD investigating officers. This means that the CSC personnel must be empowered so that they are able to differentiate between a



disciplinary offence and a criminal offence. If a member reports a disciplinary offence, they are to be referred back to their respective OCs instead of registering a case docket (See 4.2, para 5).

The researcher further recommends that members of the SANDF must be informed about this method of reporting crimes anonymously, namely the “click and tell” system (See 1.3, para 9 & 4.3.1.3, para 6). It is a system which enables complainants to report any criminal activities without any fear of being victimised since they remain anonymous (See 4.3.1.3, para 1). Another method of reporting crime is through the MPD toll free crime line which is centralised at the TTMP station in Pretoria.

Therefore, all calls made from cellular phones are answered at TTMP station and then they are redirected to the relevant area offices. However, the toll free crime line is regularly dysfunctional and there is only one number that is used by everyone, anywhere in SA. It is recommended that the toll free crime line number be zoned per region so that if a member calls from Bloemfontein, it should be answered within the same area instead of being answered and then redirected to the relevant area office from Pretoria (See 4.3.1.3, para 1). Furthermore, it should be monitored regularly since it provides the MP with valuable crime related information.

The researcher also recommends that crime prevention models be employed because they provide structure to the manner in which crime is dealt with. There are three crime prevention models that are recommended. These are the CPTED model, the situational crime prevention and the social crime prevention. The CPTED model emphasises that the design of an environment has a direct impact on the behaviour of individuals as far as offending is concerned. This is a crime prevention model that encourages residents to take ownership of their environments by ensuring that they are kept clean at all times. A clean environment sends a message that someone may be watching and thus deter criminals from committing crime.

The situational crime prevention model emphasises the changing of the design of an environment so that it becomes difficult to commit crime. It also stresses the fact that it becomes even more difficult when the rewards of committing crime are decreased and risks increased. This model is all about target hardening through the installation of security fences, surveillance, alarm systems, security lights, burglar guards and deploying guards.

The social crime prevention model focuses mainly on public education and awareness. This crime prevention model promotes the roll-out of crime awareness campaigns in which community members are educated about crime and the consequences of crime. It also educates community members about actions to take in order to protect themselves and their properties.

Therefore, the researcher recommends that surveillance cameras be installed in Thaba Tshwane and other military villages similar to Thaba Tshwane around SA. This will help, since the MPD is not fully capacitated in terms of human resources and equipment such as vehicles. Therefore, the few military personnel and vehicles that they have can work minimally and only move when there is a crisis being spotted through the CCTV cameras.

This may sound like a security function but it is a method that can help to monitor the whole area within a short space of time instead of having MPD members patrolling the streets. Furthermore, MPOs must establish crime awareness campaigns to educate the military community about crime and crime prevention within their respective areas, especially the military villages. It is also recommended that the migration from the CAS to the ICDMS should be done expeditiously so that they can remain synchronised with their counterpart, the SAPS (See 4.4, para 8).

#### **8.2.4 Objective 4: To determine the role players in the prevention of crime in the SANDF**

Crime prevention is viewed as the main function of the MPD within the SANDF, but in practice, everyone has a role to play in the prevention of crime. The MPs are authorised to prevent crime within the SANDF that is the reason they are deployed all over during military operations to ensure that military personnel do not commit crimes.

**Recommendations:** It is recommended that the MPD should have at least two roadshows per annum to educate members of the SANDF about the significance of prevention of and the ramifications of crime. This can be done either nationally or regionally. It is also recommended that military base commanders, in collaboration with the MPAOs commanders, be directly involved in resuscitating Community Policing Forums (CPFs) within their areas of responsibility so that the community (military community) know and understand their role in the prevention of crime (See 3.3.1, para 2 & 3.2.2, para 1). A register of CPF meetings must be kept for monitoring and control purposes.

It does not help to issue instructions to all structures and not monitor their progress. It is therefore recommended that an effective monitoring section should be resuscitated and be fully capacitated within the MPD, moreover they must be educated on how to perform their tasks efficiently and effectively (See 4.4, para 10). This will help to improve the level of performance, especially by the lower level structures, because if structures do not adhere to instructions, there will be consequences. Basically, every military personnel member and civilian members has a role to play, because ignoring crime is a criminal offence.

### **8.2.5 Objective 5: To determine the role of the DOD anti-criminality section in curbing crime in the SANDF**

The DOD anti-criminality section does not have a direct crime prevention role, but their main role is to identify areas that might engender crime (See 4.3.4, para 1). Actually their mandate is not clear, as nobody seems to know exactly where they derive their mandate. The role of this section is to provide effective, efficient and economic anti-criminality management direction to the DOD. This is done through meetings where members are advised about new crime trends and how to curb such crimes. The researcher views the function of this section as a duplicate of what the MPD should be doing. It is mainly the duty of the MPD to educate SANDF members about crime, crime trends and the consequences of crime. However, the function of identifying crime and crime trends within various units is the function of UMSOs, not the MPD (See 4.3.2, para 6). Currently this section resides directly under the MPD HQ in Pretoria (See 4.3.4, para 2).

**Recommendations:** It is recommended that the Anti-Criminality section be removed from the MPD and be taken to DI since the identification of crime within units is the function of UMSOs and they report to their various OCs on a weekly basis during their coordinating meetings. Therefore, various OCs are able to report to the General Officers Commanding (GOC) once they have received information from their meetings through their UMSOs. The GOCs are then in a better position to report facts to their respective chiefs of service and divisions through their representatives during their monthly meetings at the MPD HQ (See 4.3.4, para 5). What needs to be noted is that they only report on issues that they could not resolve at their level. Another recommendation is that all the anti-criminality representatives on level 4 should be the unit UMSOs and where there are no UMSOs, positions must be created.

#### **8.2.6 Objective 6: To explore the challenges experienced by the MPD when dealing with preventing crime in the SANDF**

Preventing crime is a challenge on its own, because it requires dedicated personnel with the right equipment to perform their tasks. The MPD does have jurisdiction over civilian transgressors within the SANDF. However, they can only arrest a civilian person if the person is found committing crime in their presence. The challenge is that they cannot detain a civilian person, but only military personnel. Currently they use the nearest SAPS station's holding cells. This is working well at the moment since there is a good working relationship between the SAPS, Metro Police and the traffic department and the MPD (See 4.2, para 15).

However, these departments (MPD, SAPS and the traffic department) cannot embark on any operation (whether planned or surprise) without the MPD having to first obtain an authority from Joint Operations Division (See 4.2, para 26) and this becomes a challenge since the authority takes time to be issued. The MPD also has a good working relationship with the Hawks, Directorate for Priority Crimes (See 4.3, para 5).

**Recommendations:** It is recommended that senior members of the SANDF be educated to realise that interfering with police work is a criminal offence on its own. They must know their limits. On the issue of operations amongst the various law enforcement agencies, it is recommended that Joint Operations Division appoint at least two members that will be assigned with the powers to sign the operations authorities. This will help to expedite the issuing of authorities because if only one person is assigned it becomes a challenge when he is not available.

### **8.2.7 Objective 7: Proposed crime prevention model in the SANDF**

The proposed model is aimed at eradicating any uncertainties pertaining to the roles of the MPD and the various role players in crime prevention. The MPD is the only Division within the SANDF that has a direct role in both crime prevention and crime investigation. This model suggests that the MPD stations through the GMPD section (Level 3 Headquarters) must exchange crime related information with the MP Intelligence section. This implies that the GMPD must submit their monthly crime statistics from the various MPD stations to the MP Intelligence section so that they can do the analysis. Once the analysis has been done, a report is disseminated back to the GMPD section so that they discuss the reports with the respective MP stations.

The crime reports from the MP Intelligence section will help the MP stations to plan their crime prevention activities knowing exactly what information they have to look for. The MP Intelligence section will have to work together with the DI, which means that the DI must convey any crime related information to the MP Intelligence, instead of trying to investigate it since that is a policing role. Once the information is submitted to the MP Intelligence from the DI, an analysis must be done and a report submitted to GMPD, which means a crime prevention plan can be devised to prevent such a crime. A proper crime prevention plan can be established based on the information received.

The DOD Anti-Criminality forum meets once a month to discuss crime related issues. The researcher suggests that they should compile a report of all the crime issues and submit it to the GMPD section. This will enable this section to plan their crime prevention accordingly. Moreover, if the crime issues are taking place within the unit lines, the Protection and Security section can be requested to visit that particular unit to conduct risk surveys so that they can advise them what to do to address the situation (See 4.4, para 13). Actually the Protection and Security section must always form part of the Anti-Criminality forum so that they can advise the Services and Divisions immediately on the positioning of CCTV cameras and other forms of physical security such as security doors or

burglar proofing. They can also give advice on security measures that are aimed at target hardening.

The DOD IG has the capability to detect fraud and corruption through their internal section called DACAF (See 4.3.3, para 1). They conduct audits and identify elements of fraud and corruption. Once they have identified that a crime has been committed, they will have to do a preliminary investigation. Thereafter the matter is referred to MPD for further investigation and possible arrest, provided there is *prima facie* evidence. In instances where there is suspicion of a syndicate involved, the matter is referred to the MP Intelligence for further investigation and possible arrest. Moreover, if only one person is involved, the matter can be referred directly to the nearest MPD station so that a case can be registered.

A case docket is later referred to the DLSD through the regional offices for prosecution. A person is either found guilty or acquitted. If found guilty, there are two options: a fine or a jail sentence. In the case of a jail sentence, the accused is sent to either Bloemfontein or Wynberg Military Correctional Facility so that they can be rehabilitated (See 4.3.1.2, para 2). In some instances the accused person is sent to the correctional services for imprisonment if found guilty of having committed a criminal offence by the CMJ. The rehabilitation process helps to change the behaviour of the individual so that when he/she returns to society he/she does not commit another crime (in most cases).

What this model means is that there must be a close working relationship between the MPD stations and MP Intelligence section. This helps to interchange information, which in turn assists in the planning of crime prevention operations at station level. Furthermore, the MP Intelligence must also work together with DI (See 4.3.2, para 2) so that any crime related information can be disseminated either way. Moreover, the DLSD and the MCF must work together to ensure that the accused persons are rehabilitated properly when they are released from custody.

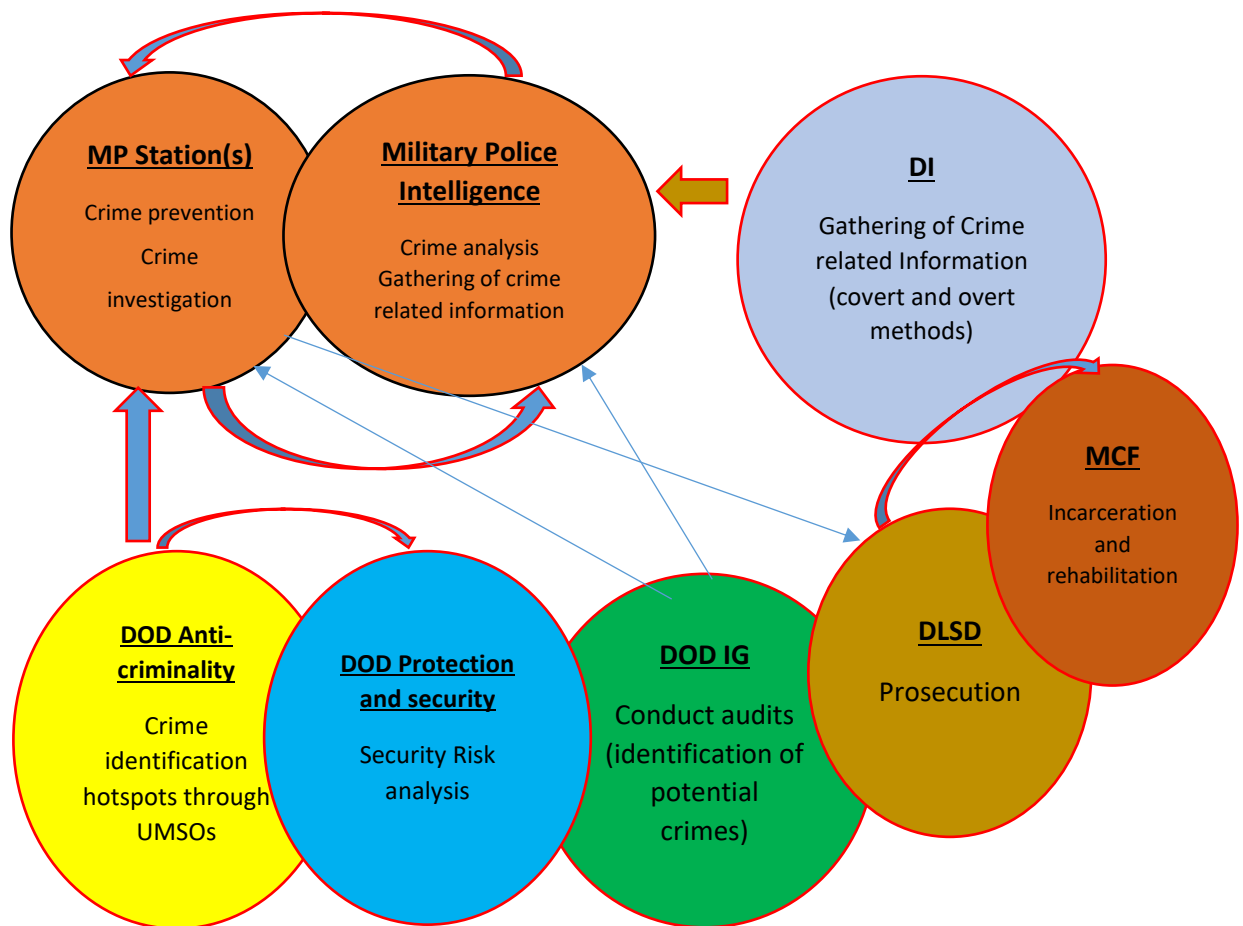


Figure 8.1: Proposed crime prevention model in the SANDF  
(The researcher's contribution)

The common practice all over the world, except in few countries, such as Brazil, is that defence forces are not used to maintain law and order during riots. The reasoning is that soldiers are trained to kill and destroy enemies, but police are trained to seek, find and arrest. The defence force is called in as a last resort, when things get out of hand to such an extent that the police are no longer in control.

Defence forces in Africa as well as abroad are mainly used for the same purpose of providing protection for their citizens by safeguarding borders. The role of the SANDF is to protect the sovereignty of RSA, to safeguard its borders and to protect the country against any internal or external military aggression. The crime prevention role in general in SA is performed by the SAPS, but within the SANDF it is the role of the MPD.



### **8.3 RECOMMENDATIONS FOR FUTURE RESEARCH**

The researcher proposes the following topics for future research:

1. The current state of SANDF infrastructure in SA.
2. The role of defence intelligence in crime prevention.
3. Critical analysis of the Defence Legal Services Division role in crime prevention within the SANDF.

### **8.4 CONCLUSION**

The SANDF does not have a crime prevention mandate. However, they can conduct crime prevention operations in conjunction with the SAPS, provided they are asked to assist. The procedure to request the assistance of the SANDF can only be done as a last resort. It can be done in instances where the SAPS cannot contain a certain situation. The Minister of Police will request the assistance of the military from the Minister of Defence, but the authority to deploy the soldiers lies with Parliament and should be endorsed by the President of the Republic. The SANDF does not have jurisdiction over civilians. The conclusion is that soldiers must not be used in crime prevention and law and order operations because they are not trained for such situations. This is evident in Brazil where the MP is used in crime prevention and they have since killed many civilians because they are trained to fight in war situations.

The MPD's role is to prevent crime and to conduct crime investigation within the SANDF and, unlike the rest of the SANDF, they do have jurisdiction over civilian transgressors since they are authorised to perform policing functions anytime and anywhere, as long as it is for the purpose of enforcing the Defence Act (Act 42 of 2002). However, if they arrest a civilian person, that person has to be handed over to the SAPS immediately. There are certain crimes that are more often reported to the MPD, such as theft of state property, fraud and corruption, housebreaking and theft, and sexual harassment. The conclusion is that the MPD tries its best to create a crime free SANDF, but due to factors

such as inadequate finances, resources and lack of rejuvenation they struggle to contain crime.

There are other role players in crime prevention in the SANDF, such as the Defence Intelligence, IG DOD, DOD Anti-Criminality section, the DLSD and the Officers Commanding. The conclusion is that these role players are not synchronised so that they are able to work together towards the same goal as far as fighting crime is concerned. This study also provides a model that can be used to have most of these role players working together towards a common goal, namely a crime free SANDF.

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### COLLEGE OF LAW RESEARCH ETHICS REVIEW COMMITTEE

Date: 09-10-2015

Reference: ST 102

Applicant: E M Mathebula

Dear E M Mathebula

#### DECISION: ETHICS APPROVAL

Name	E M Mathebula
Proposal	A critical analysis of the crime prevention mandate in the SANDF
Qualification	D Litt et Phil

Thank you for the application for research ethics clearance by the College of Law Research Ethics Review Committee for the above mentioned research. **Final approval is granted.**

*The application was reviewed in compliance with the Unisa Policy on Research Ethics.*

*The proposed research may now commence with the proviso that:*

- 1. The researcher will ensure that the research project adheres to the values and principles expressed in the Unisa Policy on Research Ethics which can be found at the following website:*  
  
*[http://www.unisa.ac.za/cmsys/staff/contents/departments/res\\_policies/docs/Policy\\_Research%20Ethics\\_rev%20app%20Council\\_22.06.2012.pdf](http://www.unisa.ac.za/cmsys/staff/contents/departments/res_policies/docs/Policy_Research%20Ethics_rev%20app%20Council_22.06.2012.pdf)*
- 2. Any adverse circumstances arising in the undertaking of the research project that is relevant to the ethicality of the study, as well as changes in the methodology, should be communicated in writing to the College of Law Ethical Review Committee.*



University of South Africa  
Preller Street, Muckleneuk Ridge, City of Tshwane  
PO Box 392, Unisa, 0003, South Africa  
UNISA/UNISA OF SA/LAW

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**Military Police Division**  
 Department:  
 Defence and Military Veterans  
 REPUBLIC OF SOUTH AFRICA

DOD/MPD/R/202/3/7

Telephone : (013) 756 2285  
 Fax : (013) 756 2054  
 Enquiries : Maj E.M. Mathebula

Department of Defence  
 Military Police Division HQ  
 Private Bag X161  
 Pretoria  
 0001

19 February 2015

**AUTHORITY TO CONDUCT A RESEARCH IN THE SOUTH AFRICAN NATIONAL DEFENCE FORCE (SANDF): MAJ E.M. MATHEBULA (DOCTOR OF LITERATURE AND PHILOSOPHY IN POLICE SCIENCE)**

1. I hereby request to conduct a research as part of my studies for a *Doctor of Literature and Philosophy in Police Science* with the University of South Africa. The title of my thesis is: **'A CRITICAL ANALYSIS OF THE CRIME PREVENTION MANDATE IN THE SANDF'**.

2. Crime affects everyone and every organization, the SANDF is not immune to crime. It is up to us members of the Military Police Division (MPD) to make sure that we are always proactive in fighting crime and also to make sure that we are up to date with the new crime trends. Effective crime prevention will save the SANDF thousands of rands which are incurred as a result of theft being the measure crime in the SANDF.

3. For my *Magister Technologiae Degree in Policing (M-Tech)*, I did a research on: **PREVENTION OF THEFT OF OFFICIAL VEHICLES OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE**. The findings of the study revealed that the SANDF has so far lost millions of Rands due to motor vehicle theft and to date motor vehicles are still stolen from unit lines. The findings suggests that there is a serious problem with the current crime prevention programs that have been put in place or either military personnel are not taking security issues seriously or they are not at all informed about the significance of securing their premises and assets.

4. This research will not have any derogatory statements towards other human beings (military personnel and civilians) and it will not contain any material that may harm any individual either physical or emotional.



Lehuphe la Boiphetso, Umphahlelo wezakwivivile, Kgomo ya Tshetshetso (Abhe leza)Kuselo, Department of Defence, Mkhosho we Tshetshetso Umphahlelo  
 Wezakwivivile, Mkhosho we Zakwivivile, Lehuphe la Tshetshetso, Department van Vansadings, LITGO le Tshetshetso.  
 Bafika Peto – zutlung people first



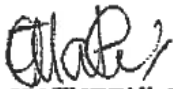
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*'Education is a lifetime investment'*

AUTHORITY TO CONDUCT A RESEARCH IN THE SOUTH AFRICAN NATIONAL DEFENCE FORCE (SANDF): MAJ E.M. MATHEBULA (DOCTOR OF LITERATURE AND PHILOSOPHY IN POLICE SCIENCE)

5. My promoter for the duration of the research is Prof H.F. Snyman (012 -- 433 9464).


6. Your cooperation will be appreciated.



(E.M. MATHEBULA)

PLANNING OFFICER REGIONAL WORKS UNIT MPUMALANGA: MAJ

Recommendations by the Provost Marshal General The member  
must ensure that the results of the research  
are shared with the SANDF and that information  
gathered will not be detrimental to SANDF. Recommended



27/02/15

(T.S. BUHALO)

PROVOST MARSHAL GENERAL: BRIG GEN

Approved / Not Approved

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(MAJ GEN MATLAKENG)

CHIEF DEFENCE INTELLIGENCE: LT GEN

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## Defence Intelligence

Department:  
Defence  
REPUBLIC OF SOUTH AFRICA

Telephone: (012) 315-0216  
Fax: (012) 326-3246  
Enquiries: Brig Gen M. Sizani

DI/DCIC/R/202/3/7

Defence Intelligence  
Private Bag X337  
Pretoria  
0001  
12 April 2015

Department of Defence (Maj E.M. Mathebula)  
Military Police Division HQ  
Private Bag X161  
Pretoria  
0001

### AUTHORITY TO CONDUCT RESEARCH IN THE DEPARTMENT OF DEFENCE (DOD): MAJ E.M. MATHEBULA

1. Request letter DOD/MPD/R/202/3/7 dd 19 February 2015 has reference.
2. Approval is hereby granted from a security perspective to Maj E.M. Mathebula to conduct research in the DOD on the topic entitled **"A Critical Analysis of the Crime Prevention Mandate in the SANDF"** in accordance with the requirement for the degree of Doctor of Literature and Philosophy in Police Science under the auspices of the University of South Africa (UNISA) as requested.
3. On completion the final research product must be submitted to Defence Intelligence (DI) Sub-Division Counter Intelligence (SDCI) for security scrutiny before it is released to any entity outside the DOD.
4. For your attention.

(G.S. SIZANI)  
CHIEF DIRECTOR COUNTER INTELLIGENCE: MAJ GEN  
KS/KS (Maj E.M. Mathebula)



Lefapha la Balaphansiso . Umnyango weCike/Vikela . Kgoro ye Tshireletso . Sebe laseKhuselo . Department of Defence . Mahlashe wa Tshireletso  
Umfundiso weCike/Vikela . Ndawo ye yona Vuzireleri . Lefapha la Tshireletso . Department van Verdediging . LaTiko la Tshireletso

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MAJ MATHEBULA/R/202/3/7

Telephone	:	(013) 756 2288	P.O. Box 443
Fax	:	(013) 756 2054	Kanyamazane
Cellphone	:	073 146 9903	1214
Enquiries	:	Major E.M. Mathebula	11 August 2016

**REQUEST FOR MEMBERS OF THE MILITARY POLICE DIVISION TO PARTAKE IN A RESEARCH INTERVIEW: CRITICAL ANALYSIS OF THE CRIME PREVENTION MANDATE IN THE SOUTH AFRICAN NATIONAL DEFENCE FORCE (SANDF)**

Reference A: DI/DCIC/R/202/3/7 dated 13 April 2015  
 B: DOD/MPD/R/202/3/7 dated 19 February 2015  
 C: DOD/MPD/R/202/3/7 dated 27 February 2015

1. The above mentioned subject matter has reference.
2. Major Mathebula is currently busy doing a **Doctor of Literature and Philosophy Degree in Police Science** with UNISA which is a research project. The title of his thesis is: **A CRITICAL ANALYSIS OF THE CRIME PREVENTION MANDATE IN THE SANDF.**
3. The purpose of this study is to critically analyse the crime prevention mandate in the SANDF by paying attention on the crime prevention role players in the SANDF. Therefore, various ideas and opinions regarding crime prevention in the SANDF are required particularly from members of the Military Police Division (MPD) especially those that are in command-and-control positions, those that are involved in drafting policies and instructions on crime prevention and members that are doing crime prevention on the ground.
4. The information that will be obtained from participants will be used for research purposes only and anonymity and confidentiality will be guaranteed. This implies that no names of participants will be made public. All data received will only be accessible by the researcher (Maj Mathebula) and his supervisor Prof Snyman. Participation is voluntary, however an audio recorder will be used during the course of the interviews so as to allow the researcher to listen to the interview at a later stage and to make transcript of the interview for data analysis purposes.
5. The findings and recommendations of this study could help to improve the manner in which crime issues are addressed in the SANDF and will also help other members who may wish to conduct similar research in the field of policing in future. Therefore, the researcher would like to interview **30 members from the MPD** around Pretoria during the month of September 2016.
6. Authority was granted by Defence Intelligence to conduct this research within the Department of Defence (DOD) hence permission to interview members of the MPD around Pretoria (Thaba Tshwane, Waterkloof, MPD level 3 and D-HQ) during working hours is requested.

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**REQUEST FOR MEMBERS OF THE MILITARY POLICE DIVISION TO PARTAKE  
IN A RESEARCH INTERVIEW: CRITICAL ANALYSIS OF THE CRIME  
PREVENTION MANDATE IN THE SOUTH AFRICAN NATIONAL DEFENCE  
FORCE (SANDF)**

7. Your assistance is always appreciated.

  
(E.M. MATHEBULA)  
PLANNER REGIONAL WORKS UNIT MPUMALANGA: MAJ

DISTR

For Action

D PMG  
SSO Provost Services

(Attention: Col M.J. Macanda)  
(Attention: Capt (SAN) M.A. Maphoto)

For Info

PMG

(Attention: Brig Gen T.S. Buhali)

Internal

MAJ MATHEBULA/R/202/3/7

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**the mp div**

Department:  
of Defence  
REPUBLIC OF SOUTH AFRICA

Reference: DOD/MP DIV/R/106/20/1  
Telephone: (012) 686-4043  
Facsimile: (012) 686-4054  
Enquiries: Cdr T. E. Mhlonyane

Department of Defence and  
Military Veterans  
(Military Police Division)  
Private Bag X161  
Pretoria  
0001

05 September 2016

**AUTHORITY FOR MP DIV MEMBERS TO PARTAKE IN A RESEARCH  
INTERVIEW: CRITICAL ANALYSIS OF THE CRIME PREVENTION MANDATE IN  
THE SANDF**

1. Letter MAJ MATHEBULA/R/202/3/7 dated 11 August 2016 bears a reference.
2. The office of the Deputy Provost Marshal General received a correspondence from Maj E. M. Mathebula of Works Regiment Unit, Mpumalanga regarding an application to conduct a research interviews on critical analysis of crime prevention mandate in the SANDF with 30 members of MP Div specialising on the subject matter. Maj Mathebula is currently busy doing a Doctor of Literature and Philosophy Degree in Police Science with UNISA which is a research project.
3. The information that will be obtained from participants will be used for research purposes only and anonymity and confidentiality is guaranteed. The Authority was granted by Defence Intelligence to conduct such a research within the DOD hence permission to interview members of the MP Div around Pretoria (i.e. Thaba Tshwane, Waterkloof, Regional HQs and MP Div HQ) during working hours is requested.
4. In view of the above-mentioned facts, authority is hereby granted for Maj E. M. Mathebula of Works Regiment Unit, Mpumalanga to conduct his research project as requested. However, Maj Mathebula is advised to constantly communicate with Deputy Provost Marshal General, R Pro Ms and A Pro Ms in the area of responsibility in order to see the smooth running of his research project.
5. For your attention and action.


(M. A. MAPHOTO)  
SSO PROVOST SERVICES: CAPT (SAN)  
//Research project Doc

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RECOMMENDED/~~NOT RECOMMENDED~~ BY SSO POLINT


*It is RECOMMENDED BUT THIS interview must only  
BE USED FOR STUDIES PURPOSE AT UNISA NO ANY  
OTHER INSTITUTIONS AND RECOMMENDATION TO BE  
FORWARDED TO ONLY MP DIV HQ.*

  
CAPT (SAN)  
(G. R. MAKHOKA)  
SSO POLINT: CAPT (SAN)

Date:.....

APPROVED/~~NOT APPROVED~~ BY D PMG

*Request approved per paragraph 4  
of this document*

 (M. J. MACANDA)  
DEPUTY PROVOST MARSHAL GENERAL: COL

Date: 06/09/2016.....

DISTR

For Action

A/R Pro M:

N MPR

A Pro Ms:

Thaba Tshwane MP AO  
Waterkloof MP AO

For Info

C DI  
PMG

Internal

File: DOD/MP DIV/R/106/20/1

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**logistics division**

Department:  
Defence  
**REPUBLIC OF SOUTH AFRICA**

RWU MP/R/202/3/7

Telephone : (013) 756 2285  
Fax : (013) 756 2054  
Enquiries : Maj E.M. Mathebula

Department of Defence  
Logistics Division  
Regional Works Mpumalanga  
Private X11247  
Nelspruit  
1200  
June 2015

Capt (SAN) M. Maphoto  
SSO Provost Services  
Military Police Division HQ  
Private Bag X161  
Pretoria  
0001

Capt (SAN),

**REQUEST FOR MILITARY POLICE CRIME STATISTICS FROM 2010 - 2014:  
96222336MC MAJ E.M. MATHEBULA**

1. Letters DOD/MPD/R/202/3/7 dated 19 February 2015 and DI/DCIC/R/202/3/7 dated 13 April 2015 (attached) respectively bears reference.
2. I am currently doing a **Doctor of Literature and Philosophy in Police Science with the University of South Africa (UNISA)** and the title of my thesis is: **A critical analysis of the crime prevention mandate of the South African National Defence Force.**
3. We are all aware that crime affects everyone in South Africa and the SANDF is not immune, yet we are involved in a number of crime prevention activities aimed at minimizing the levels of crime within our environment. Therefore as part of my research I will be looking at the crime prevention mandate of the SANDF in crime prevention and my emphasis will be the Military Police Division since they are mandated with all the policing capabilities within the SANDF.
4. The crime statistics that I am requesting will assist me to design a crime prevention model based on the *modus operandis* per crime committed and will also help to strengthen the problem statement that crime does take place within the SANDF. The crime statistics will solely be used for the purpose of my studies. The crime prevention model that I am going to design will not only assist the Military Police Division in fighting crime effectively but it will also help the SANDF as a whole as crime prevention is not the core function of the Military Police but it is the responsibility of every soldier and citizens of South Africa.



Iefapha la Boiphemelo . Umnyango wezokuVikela . Kgoro ya Tshireletso . iSebe lezoKhuselo . Department of Defence . Muhachho wa Tsinledzo  
UmNyango WezokuVikela . Ndzwawulo ya swa Vusirehleri . Lehapha la Tshireletso . Departement van Verdediging . IITiko leTekuvikela



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**REQUEST FOR MILITARY POLICE CRIME STATISTICS FROM 2010 - 2014:  
96222336MC MAJ E.M. MATHEBULA**

5. Your assistance will indeed be highly appreciated.



**(E.M. MATHEBULA)**

**PLANNER REGIONAL WORKS UNIT MPUMALANGA: MAJ**

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**Defence Works Formation**

Department:  
Defence  
REPUBLIC OF SOUTH AFRICA

RWU MP/R/104/10/18

Telephone: (013) 756 2288  
Fax: (013) 756 2054  
Enquiries: Maj E.M. Mathebula

Department of Defence  
Logistics Division  
(Regional Works Unit MP)  
Private Bag X319  
Nelspruit  
1200

07 March 2018

R Adm (JG) M.A. Maphoto  
Provost Marshal General  
Military Police Division HQ  
Private Bag x161  
Pretoria  
0001

**REQUEST FOR CRIME STATISTICS FOR STUDY PURPOSES: 96222336MC MAJ  
E.M. MATHEBULA**

**Appendix A: Crime Statistics template**

1. Letter DI/DCIC/R/202/3/7 dated 13 April 2015 bears reference.
2. I am currently at the apex of my Doctor of Literature and Philosophy degree in Police Science and the title of my thesis is: A critical analysis of the crime prevention role of the Military Police Division (MPD) in the South African National Defence Force (SANDF). This study is going to benefit the MPD immensely in ameliorating the manner in which crime issues are addressed. It is a study that will also propose a crime prevention model that could be utilised to the benefit of the entire organisation (if properly used).
3. The request for the crime statistics is necessary to prove that the SANDF is not immune to crime hence a different approach is needed in order to minimise the levels of crime within the organisation.




Lefapha la Boiphemelo . Umnyango wezokuVikela . Kgoro ya Tshireletso . iSebe lezoKhuselo . Department of Defence . Muhasho wa Tsiriledzo  
UmNyango WezokuVikela . Ndzawulo ya swa Vusireheleni . Lehapha la Tshireletso . Departement van Verdediging . Litiko leTekuvikela



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**REQUEST FOR CRIME STATISTICS FOR STUDY PURPOSES: 96222336MC MAJ  
E.M. MATHEBULA**

4. For your consideration.

A handwritten signature in black ink, appearing to read 'E.M. Mathebula', is written above the printed name.

**(E.M. MATHEBULA)  
SO2 PLANNER REGIONAL WORKS UNIT MPUMALANGA: MAJ**

Types of crimes	Year			
	2014	2015	2016	2017
<b>Property crimes</b>				
Theft of motor vehicles (state property)				
Theft of motor vehicle (state property)				
Theft of state property (miscellaneous)				
Arson				
Burglary				
House breaking and theft of state property				
Possession of illegal fire-arm and ammunition				
Illegal poaching				
<b>Crimes against persons</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Common assault				
Assault with intent to do grievous bodily harm				
Attempted rape				
Rape				
Murder				
Attempted murder				
Culpable homicide				
Sexual assault				
Sexual harassment				
Indecent assault				
<i>Crimen injuria</i>				
Kidnaping				
Defamation of character				
Pointing of firearm				



Crimes against the administration of justice	2014	2015	2016	2017
Drugs related crimes				
Robbery				
Fraud				
Corruption				
Forgery				
Perjury				
Bribery				
Total				

## **INFORMED CONSENT FORM**

**Affiliation:** University of South Africa

**Researcher:** Mr Esewu Mxolisi Mathebula

**Title of Study:** A critical analysis of the crime prevention mandate in the SANDF.

### **Purpose of Study:**

The purpose of this study is to critically analyse the crime prevention mandate of the SANDF.

### **Procedures:**

A voice recorder will be used by the researcher to record conversations during the interview. The interview will not be longer than 1 hour, but in case of natural causes, circumstances beyond our control or at the request of the participant, the interview may end sooner than anticipated.

### **Risks and Discomforts:**

In case a participant becomes tired or suffers emotional discomfort, a break may be requested or the interview may be postponed to a later date or terminated if so desired. The researcher will make every effort to ensure the comfort and minimise the risks for the participant.

### **Benefits:**

It is the researcher's desire that all participants partaking in this study will feel the satisfaction of contributing to solving the challenge with regard to crime and the crime prevention mandate of the SANDF and clarifying the problem for those studying the phenomena, which may help others in the future. The participants shall also assist in providing insight into the problem, which can stimulate future research, and thus be of even greater help in the future.

**Respondent's Rights:**

Participation in this study is voluntary and may be withdrawn at any time without negative consequences for the participants. All information is treated as confidential and anonymity is assured by the researcher. The data shall be destroyed should the participant wish to withdraw. The researcher and his supervisor are the only individuals who will have access to raw data from interviews, and hereby ensures that data will be treated as stipulated above.

**Right of Access to Researcher:**

Participants may contact the researcher anytime at this cell-phone number: **073 146 9903**, in connection with interview particulars or any clarity pertaining to the interview.

**THANK YOU FOR YOUR PARTICIPATION IN THIS STUDY.**

I, the undersigned, agree to participate in this study voluntarily without duress.

Signed at .....on this.....day of .....20.....

Signature: ..... (Print Name.....)

**A CRITICAL ANALYSIS OF THE CRIME PREVENTION ROLE OF THE MILITARY  
POLICE DIVISION IN THE SOUTH AFRICAN NATIONAL DEFENCE FORCE  
(SANDF)  
INTERVIEW SCHEDULE  
FACE-TO-FACE INTERVIEW**

Interview Number: \_\_\_\_ / \_\_\_\_ /2016

Date of interview: \_\_\_\_ / \_\_\_\_ /2016

Place of interview: \_\_\_\_\_

Interview time: start \_\_\_\_ / \_\_\_\_ Finished \_\_\_\_ / \_\_\_\_

**1. PREPARATION**

1.1 The following equipment/documents will be required:

1.1.1 Laptop

1.1.2 An office with a table and two chairs

1.1.3 Consent forms

1.1.4 Stationary for the participant (should a need arise)

1.1.5 A pen and a note pad for the interviewer

1.1.6 Audio recorder

**2. THE INTERVIEW SESSION**

**2.1 INTRODUCTION TO THE PARTICIPANT**

Duration: ± 10 minutes

2.1.1 The researcher welcomes the participant;

2.1.2 The researcher introduces himself to the participant;

2.1.3 The purpose of the study is explained to the participant by the  
researcher;

- 2.1.4 The participants' rights in relation to taking part in the study are explained by the researcher; and
- 2.1.5 The researcher hand over an informed consent form to the participant for endorsement.

## 2.2 PARTICIPANT'S BACKGROUND

Duration:  $\pm 5$  minutes

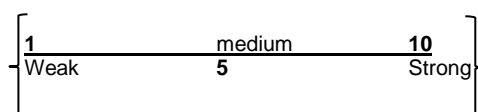
- 2.2.1 Where are you currently stationed?
- 2.2.2 What is your highest academic qualification?
- 2.2.3 How many years of service do you have in the SANDF?
- 2.2.4 What is your mustering?
- 2.2.5 How long have you been in your current mustering?
- 2.2.6 Did you complete all your functional courses at your level?

## 2.3 GENERAL INFORMATION ON THE SOUTH AFRICAN NATIONAL DEFENCE FORCE (SANDF)

### 2.3.1 CORE OBJECTIVES OF THE SANDF

Duration:  $\pm 5$  minutes

- Question 1: Why was the SANDF established?
- Question 2: What is the main function of the SANDF? (In your opinion)
- Question 3: According to your knowledge, what is the constitutional mandate of the SANDF?
- Question 4: In your opinion and from your experience, rate the prevalence of crime in the SANDF on a scale of one to ten; with one being low and ten being very high.



Question 5: Who is mainly committing these crimes, members of the SANDF or civilians?

Question 6: What do you think are the reasons behind SANDF members committing crimes?

Question 7: What type of crimes are you aware of, that are being committed within the SANDF?

### 2.3.2 CRIME PREVENTION IN THE MILITARY POLICING CONTEXT

Duration: ± 30 minutes

Question 8: In your opinion, who are the main crime prevention role players in the SANDF?

Question 9: What is the role of the management in crime prevention by the Military Police Division?

Question 10: Does the Military Police Division have any jurisdiction over civilian transgressors? Elaborate.

Question 11: What is the crime prevention role of the Military Police Division?

Question 12: If asked to define crime prevention, how would you define it?

Question 13: As a member of the Military Police Division, what is your role in crime prevention?

Question 14: What are the functions and responsibilities of the Military Police Division in the SANDF?

Question 15: Where do the Military Police Division members do their policing training?

Question 16: Do you think their training is enough to enable them to fulfil their role being crime prevention? Elaborate.

Question 17: How effective are both mobile and foot patrols in preventing crime around military Units/Bases?

Question 18: What is the Vision of the Military Police Division?

Question 19: What is the Mission of the Military Police Division?

Question 20: In your opinion, is the Military Police Division succeeding in preventing crime within the SANDF? Elaborate.

Question 21: What is the role of the military community in crime prevention within their area of responsibility?

Question 22: What is the relationship between the Military Police Division, South African Police Service and the Metropolitan Police as far as crime prevention is concerned?

Question 23: Do you think the Military Police Division is better resourced and capacitated to prevent crime in the SANDF? Elaborate.

Question 24: What challenges is the Military Police Division experiencing when dealing with crime?

Question 25: What is your understanding of the Department of Defence (DOD) Anti-Criminality section?

Question 26: What is the role of the DOD Anti-Criminality section on the prevention of crime and crime awareness in the SANDF?

Question 27: Does the Military Police Division have a crime prevention strategy?

Question 28: If you answered yes above, how effective is the strategy?

### 2.3.3 CRIME PREVENTION IN GENERAL

Duration: ± 10 minutes

Question 29: Are there any crime prevention programmes that have been put in place within the Military Police Division area of responsibility? Elaborate.

Question 30: Do you feel safe walking around any military village (e.g. Thaba Tshwane) at any time of the day or night? Elaborate.

Question 31: What is the role of military commanders in preventing crime within their respective military Units or Bases?

Question 32: What are the common crimes taking place in the SANDF and more often reported to the Military Police Division?

Question 33: What do you think is the best way of fighting crime in the SANDF?

## **2.4 CLOSING**

2.4.1 Thank the participant for his/her time.

2.4.2 Reassure the participant that anonymity and confidentiality will be guaranteed.

**Total duration of the interview: ± 60 minutes (1 Hour)**

### **END OF INTERVIEW**

**NOTES:**